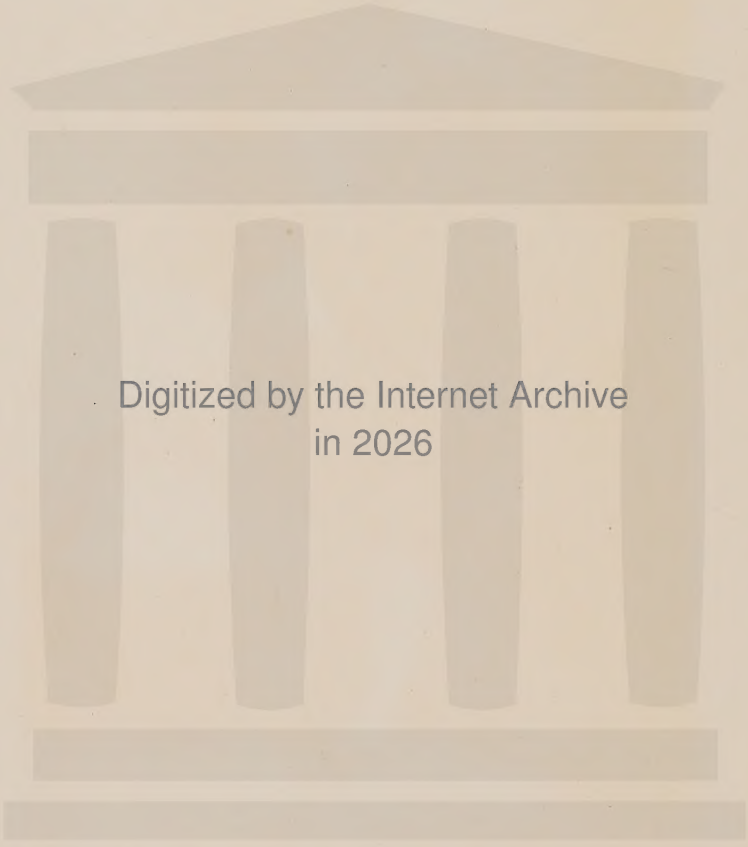
MAP OF MASSACHUSETTS COMPILED FROM ACTUAL SURVEYS IN 1801

ESSEX
COUNTY
MIDDLESEX
COUNTY
NORFOLK
COUNTY
BRISTOL
COUNTY
PLYMOUTH
COUNTY
BARNSTABLE
COUNTY
MASSACHUSETTS
BAY
CAPE COD BAY
BARNSTABLE BAY
BUZZARDS BAY
PART OF RHODE ISLAND
EXPLANATION.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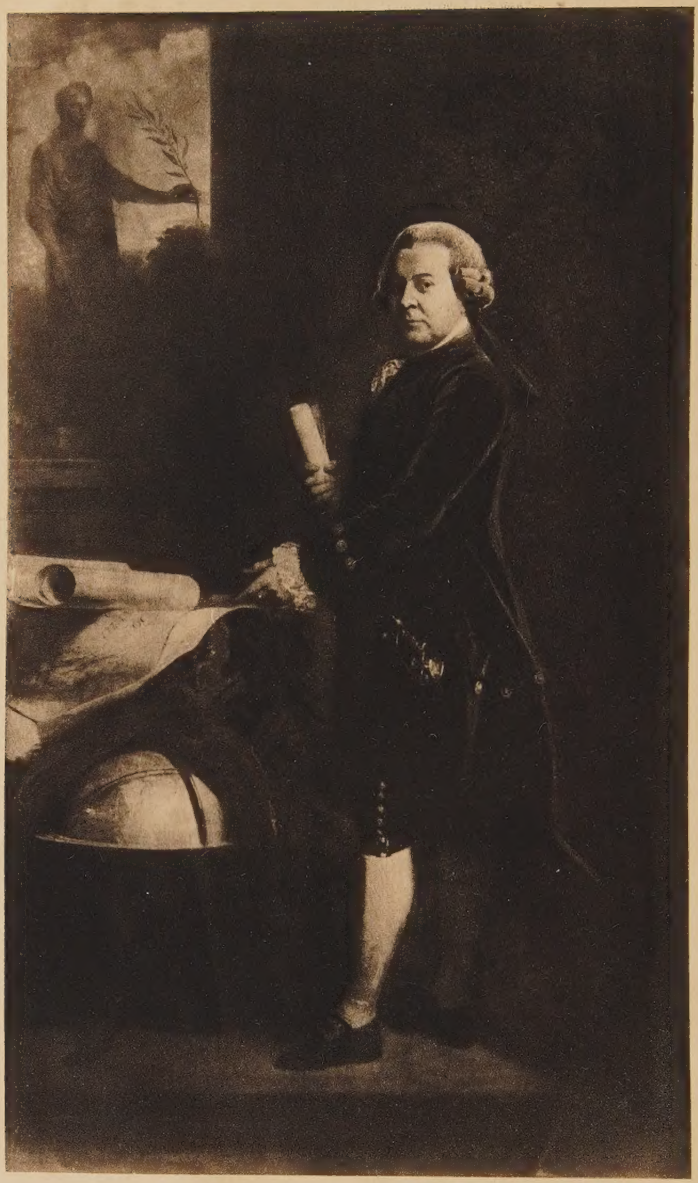

John Adams

COMMONWEALTH HISTORY
of
MASSACHUSETTS

EDITED BY

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UNITED STATES GEORGE WASHINGTON BICENTENNIAL COMMISSION
DESCENDANT OF STEPHEN HART, PIONEER OF
MASSACHUSETTS BAY COLONY IN 1632

VOLUME THIRD

JOHN ADAMS

From the original by Copley
Courtesy of the Fogg Art Museum
Cambridge, Massachusetts

THE STATES HISTORY COMPANY
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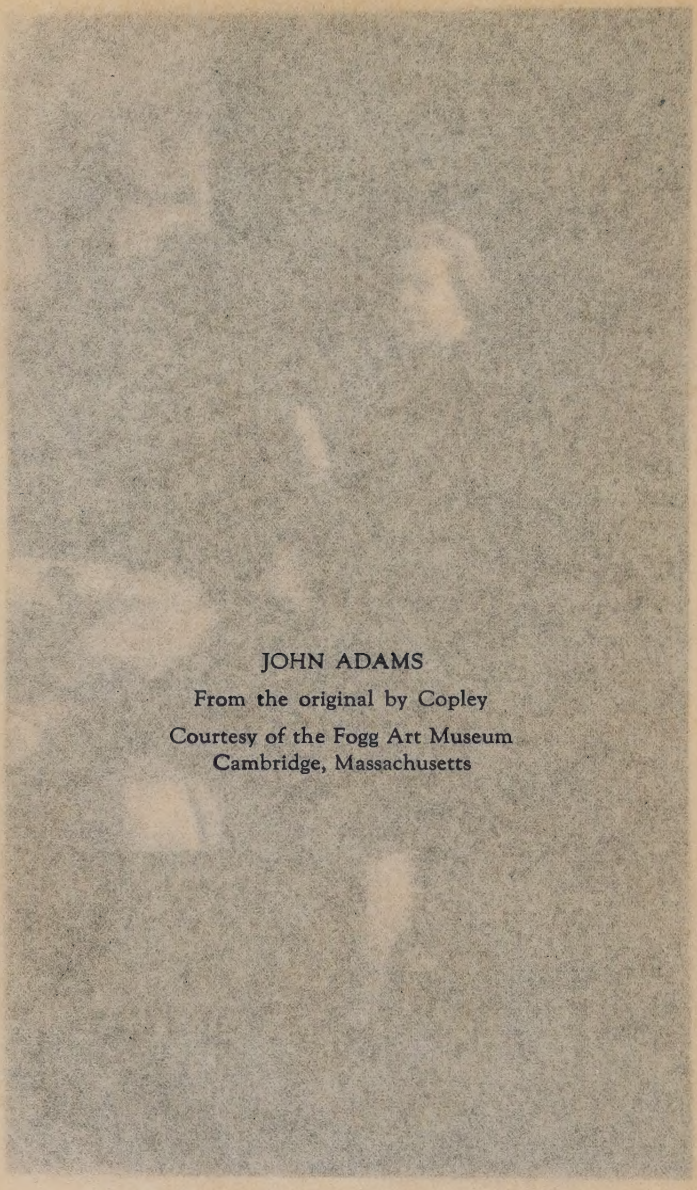
1929



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VOLUME THIRD

COMMONWEALTH OF MASSACHUSETTS

[1775-1820]

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CHAPTER I

BUNKER HILL AND THE SIEGE OF BOSTON (1775–1776)

By Thomas G. Frothingham,
Captain, U. S. R.

Situation at the Beginning of the Siege (April, 1775)

The history of the siege of Boston has been too often told in the terms of the military operations of its times, and these could not give an adequate description. Now that more than one hundred and fifty years have elapsed since the evacuation of Boston, it is possible to look at these events with the perspective of modern military knowledge. From this point of view, it at once becomes evident that many aspects of the siege of Boston were far ahead of the times. In fact, things happened that were totally at variance with the prevailing European doctrines, and no formula of contemporary European military science could be applied to the unconventional warfare practiced by the American Colonists.

The word formula, in itself, is the most suitable to describe the European military tactics of the last half of the eighteenth century, because in that period all European military science had become formal and artificial to an extreme. In those days all warfare in Europe was assigned to the regular armies, and it was decreed that all fighting must be carried on according to the rigidly fixed rules and the formal manoeuvres of Frederick the Great. The mere idea that the people of any country could presume to fight against a regular army was a heresy, so contrary to the accepted military doctrines that it was held to be out of the question.

It is only by fully realizing these contemporary European military articles of faith that we can understand the reason for the sudden and complete decisiveness of the British defeat of April 19, 1775, which brought on the Siege of Boston. The overturn was astounding from a European point of view. On April 18, General Gage was a Royal Governor, with military and naval forces which were considered ample to uphold his authority. In twenty-four hours all that had been ended forever; and General Gage had been reduced to the position of being merely the commander of a British army hemmed into Boston. Even this did not describe the full extent of the disaster. For General Gage had not only lost all authority outside of Boston, but he could no more hope for assistance from outside the town than if there had not been a loyalist in New England.

The finality of this situation has not been made sufficiently clear in most histories, but the above is a true description. General Gage might still count on adherents in Boston, but throughout the country no bodies of Loyalists appeared to dispute the issue with the revolting colonists—and all New England was suddenly in rebellion. Yet this complete change was not brought about by a defeat that crippled the British army under his command. The Lexington and Concord Fight could not thus be described. On the contrary, the Colonists had not killed or wounded any heavy total of British troops. As has been shown in the accounts of the events of April 19, this running fight was an unorganized scramble of the American companies, hastily gathered from all parts of the countryside. The pursuit of the British Regulars was almost a case of each man for himself. Of the many groups summoned from the different towns, there was never at any one time an overpowering force imposed upon the retreating British. Consequently the unexpected result of the defeat was not due to any proportion of heavy British losses. It was the way the thing was done that demoralized the Regulars. They had met something so different from anything they had imagined that they were dazed.

Reasons for the Decisive Result of April 19, 1775

The conduct of the British upon that day, and on many other occasions in the American Revolution, showed that they had not learned their lesson from the "French Wars." Montcalm's error, in fighting the formal battle on the Plains of Abraham, had given to the British a final victory which made them forget their many blunders against the French and Indians. To the minds of the British, Wolfe's victory at Quebec had thus summed up the whole French and Indian War as a triumph for the Regulars.

In contrast, the American Colonists had received from these wars a schooling which was a better preparation than has been generally appreciated. From Washington down through the personnel of the American Army, this was a benefit of the greatest value. And many of these Americans had derived their knowledge from their own bitter experience when serving with the British Army. They had then been given object lessons which taught them that irregular tactics would be the most effective against the British Regulars.

As a result of all this, it was not the professional British soldier who was prepared for the fighting of the American Revolution—it was the American Colonist who was prepared. This was always in evidence when the British attempted to carry the war into the open country. With their superiority in arms and equipment, the Regulars were able to win formal battles and to hold cities on the coast, where their supplies were assured by sea; but they were unable to go out and subdue the country. Every time this was tried, the people rose against them, and the British troops were mobbed and harassed by irregular warfare, against which they were unable to contend. Saratoga was merely a repetition of the day of Lexington and Concord. Consequently, in this sense, the first twenty-four hours of the Siege of Boston may be said to have been decisive of the whole war.

The underlying cause of this unexpected state of affairs was the now evident fact, that the irregular warfare which the British encountered on April 19, 1775, was actually

a forecast of modern open order fighting. The tactics of the Americans were modern in the sense of fighting in extended open order and taking advantage of every natural shelter. On the other hand, the British tactics were those of the stiff ranks and formal evolutions, which made every European battle of the time a matter of parade-ground manoeuvres. The proof of the matter has been that those European tactics have been discarded as useless in favor of open order tactics akin to the tactics of the Americans on April 19.

When we consider this contrast, there can be no question of the fact that the retreat from Concord became a military test, which at once proved that the British Regulars, drilled in the formal tactics of Frederick the Great, were pathetically helpless in the open country against the tactics of the Americans. To the British mind this one experience was so convincing that no other test was ever attempted in the Siege of Boston. Never again did the Regulars venture out into the open country around Boston. But even this fact does not tell how absolutely the British had accepted the one object lesson as final. For they not only made no attempts to sally forth against the Colonists, but they made no efforts to push back the Americans from the positions they had occupied so near Boston.

The Close Siege (April, 1775)

Thus General Gage not only conceded that he was to be cut off from the surrounding country, but he also permitted himself to be hemmed in closely. This is the measure of the effect of the Lexington and Concord Fight. For the American forces that hastened to Boston could never have enforced so close a siege. They were utterly unorganized, and were lacking in all supplies, ammunition, and artillery. In regard to this last, the Americans were so deficient that they were not only unable to threaten the British garrison, but they could not have offered much of a defense in the positions they had occupied. Yet it is a fact that General Gage did not even undertake to seize any of the commanding points surrounding the town, and retained his whole army in the peninsula of Boston.

General Gage's quick and complete acquiescence in this shut-in situation was strikingly shown by the fact that, as early as April 22, he was negotiating with a Town Meeting in Boston as to passing people in and out of the town. Nothing could be a more definite proof that the British General admitted a state of siege. Consequently, we must regard the events of April 19, 1775, as decisive in the modern military sense of the word, and as changing the whole situation in New England.

Gathering of the American Forces

The response to the "Lexington alarm" had been general throughout New England. April 19, the pursuing Colonists had gathered about Boston, and they received accessions from all sides. General Heath had been in charge, until the arrival of General Artemas Ward who assumed command on April 20. The first council of officers was held on that day; and Colonel William Prescott was given command of the first placing of guards. On April 20, also, the Massachusetts Committee of Safety sent circulars to the Massachusetts towns calling out the militia. This was soon followed by an appeal to the other New England Colonies for troops. But accessions from these Colonies had already begun to join the forces around Boston. New Hampshire troops were in Medford under Colonel John Stark; and Connecticut troops, with General Israel Putnam, were in Cambridge. The Rhode Island troops were under General Nathaniel Greene at Jamaica Plain.

At first each Colony maintained its own establishment, provided its own supplies and issues of ammunition, such as they were, and exercised direction over its own troops. The command of General Ward was almost nominal. There was great confusion as to rank and commissions. In fact it could not be considered an organized army at all. The only thing that held the American forces together was what General Gage in his report called "a military spirit encouraged among them for a few years past, joined with an uncommon degree of zeal and enthusiasm." These years had given to the Colonies the beginnings of military

organization. Consequently there was something to build on, in forming this first American Army.

It grew to about 16,000, of which the proportions were: Massachusetts, 11,500; Connecticut, 2,300; New Hampshire, 1,200; Rhode Island, 1,000. As might have been expected, its personnel was constantly changing, with men drifting back and forth between home and the camp, and with enlistments and commissions on no regular basis. It might be said that the only real strength of this army lay in the object lesson of April 19, and in its moral effect upon the British Regulars. Yet its prestige had been sufficient to establish and maintain a siege.

The Issue Defined

The news of the first sacrifice of American lives proved also to be the torch which spread the flames of revolt throughout all the American Colonies. And the news had a marked effect in Great Britain. In this respect, the Americans had been far-seeing in taking precautions that the truth as to the situation should be known to the British people. The Provincial Congress met in Concord, April 22, and promptly appointed a special committee to take depositions as to the events of April 19 in Lexington and Concord. These affidavits were collected with a letter "To the Inhabitants of Great Britain" (composed by Dr. Warren, Mr. Freeman, Mr. Gardner, and Colonel Stone), and these papers were given to Captain Derby of Salem on April 27, with instructions to transmit them to London as soon as possible. Captain Derby made such a good passage in the fast sailing *Quero* of Salem that he arrived in London, May 29, eleven days before General Gage's account of the action. Upon receiving these papers, Arthur Lee, the agent of the Massachusetts Provincial Congress in London, at once had the letter published with its account of the battle, and announced: "I desire to inform all those who wish to see the original affidavits which contain that account, that they are deposited at the Mansion House with the right honorable the Lord Mayor for their inspection."

By this means all the circumstances and events of the

fateful day of April 19 were known in Great Britain, with the true facts as to the British reverse. As a result, in Parliament, the opponents of the Ministerial policies in regard to the American Colonies were given a true basis for their opposition. And this was a factor of increasing importance for the Americans throughout the Revolution.

In America it was soon proved that the outbreak was no matter of Massachusetts alone, or of New England, but of all the Colonies. The General Congress of the representatives of the American Colonies assembled at Philadelphia on May 10, and they made the quarrel their own by formally voting to adopt the army besieging Boston, and to raise troops for it from the other Colonies. This was the origin of the Continental Army.

The issue had thus been clearly defined, at home and abroad, as not being in any sense local or of factions, but as an armed revolt of all the American Colonies.

The Situation Before Bunker Hill (May – June, 1775)

At Boston there was almost no fighting until the middle of June. The British remained passive within the limits of their lines drawn across Boston Neck. In May the Colonists made a beginning of fortifying their positions, but, as they had absolutely no siege train, they were not yet able to make any serious attack upon Gage's army. The only clashes were on the harbor islands, and were skirmishes over livestock.

General Gage's apathy, in failing to seize any of the commanding positions in the vicinity of the town, remained unchanged. But in June information was received by the Americans that he might take possession of some of the heights about Boston, and the Provincial Congress decided to forestall him. Consequently, on June 15, the Committee of Safety passed a resolution "that possession of the hill called Bunker's Hill, in Charlestown, be securely kept and defended." Possession of Dorchester Neck was also mentioned in this resolve, but this was left indefinite.

This resolution, communicated to the Army, brought on the Battle of Bunker Hill, the only other actual battle of the siege. Again it was a case of the European formal

tactics of the day, meeting tactics which were far ahead of the times. It was only this attribute which redeemed the battle from being an inexcusable blunder. For the occupation of the Charlestown heights on the night of June 16, 1775, was foolhardy in the extreme on the part of the Americans, from every point of view. The official account of the Committee of Safety (July 25, 1775), after stating that this was in anticipation of an attempt by General Gage to occupy Bunker Hill, stated: "Accordingly, on the 16th ult., orders were issued, that a detachment of 1,000 men should that evening march to Charlestown, and intrench upon the hill. Just before nine they left Cambridge, and proceeded to Breed's Hill situated on the farther part of the peninsula next to Boston, for, by some mistake, this hill was marked out for the intrenchment instead of the other."

In the confusion among the unorganized groups of troops from the various Colonies, which made up the besieging force, there were no plans whatever for the support of this detachment, which was sent to Charlestown under the command of Colonel William Prescott. In a military sense, therefore, it must be regarded as an isolated force, and this isolated American force was wretchedly equipped for the task it was ordered to perform. It had no heavy artillery, and only six small field pieces which proved to be of little use. It was ill supplied in every way, and especially short of ammunition.

To send such a weak detachment to the exposed position on the Charlestown peninsula was to court disaster.

British Decision for a Frontal Assault (June 16, 1775)

A glance at the map of the environs of Boston will show at once the dangers of the situation. There was a flood tide on the morning of June 17, and, if the British had taken advantage of this to move heavy guns in their shipping into the Mystic River, the position of the Americans would have become impossible. Instead of anything of the kind, General Gage decided to make a frontal attack upon the intrenched Americans, and this decision transformed a

From Frothingham's Siege of Boston

BOSTON WITH ITS ENVIRONS IN 1775 AND 1776

precarious situation for the Americans into a scene of disaster for the British.

The reason for this costly error on the part of the British is to be found in what has been stated as to the effects of the Lexington and Concord Fight upon the British Regulars. They had been exasperated at being driven to shelter by tactics which did not offer a set battle. But a different situation was at once created by the surprising apparition of the American troops on Breeds Hill, which met their eyes on the morning of June 17, 1775. It was true that the Americans had been able to throw up their intrenchments without being discovered; but their presence meant that this time the Americans were in a fixed position, and were not the elusive enemies of April 19. To the minds of the British this situation implied, in itself, a set battle that must be fought in their own way. They had no idea that they were destined to encounter at Charlestown another situation as novel and disconcerting as that of April 19.

Unexpected Factors in the Battle (June 17, 1775)

On any European battlefield of the times this frontal attack of the British Regulars, with their superiority in numbers, would have been an easy charge—and the British had no suspicion of any other result. But there were two novel elements in the situation which made the Americans unexpectedly formidable. In the first place, although they were not at all marksmen of the Leatherstocking type, these American colonists were used to handling firearms and aiming to kill. In addition, they were commanded by a remarkable group of officers, who had gained experience in the "French Wars," and knew how to control their men to get the best results against the tactics used by the British Regulars. Consequently the British were about to attack what was actually, in the modern military sense of the term, an intrenchment defended by instruments of precision.

At that time no such thing had ever been encountered on a European battlefield. Precision in drilling and executing all movements had been rigidly taught—but precision

in shooting had received no attention whatever. The strict game laws kept firearms out of the hands of the common people. It followed that the recruit, totally unaccustomed to handling firearms, was given a strange implement which he must handle according to the prescribed movements of a manual that actually did not include aiming at any particular object.

It is enough to give the following from the *British Manual Exercise of the Foot:* "V. Present 1 Motion: In presenting, take away your thumb from the Cock, and move your right Foot a little back, the toe turned a little to the Right, the body to the Front, and place the Butt-end in the Hollow between your Breast and Shoulder, keeping your fore-finger before the Tricker (but without touching it) and the other three behind the Guard, the Elbow, in an equal Line (which is called Square) the Head upright, the Body straight, only pressing a little forward against the Butt-end of the Firelock, the right knee stiff, and the left a little bending: The Muzzle should be a little lower than the Butt, in order to take Aim at the Center of the Body. VI. Fire: As soon as the Word of Command is given, draw the Tricker briskly with the fore-finger which was placed on it before: and though the lock should not go down with that Pull, you are not to attempt it a second Time, being only to draw the Tricker but once at exercise."

With "the head upright" and aim only secured by holding the firelock with "the muzzle a little lower than the butt," anything like accuracy in shooting was impossible for the Regular soldier. And it is not surprising that musketry had not hitherto been deadly, in the modern sense, on European battlefields.

When we realize these contrasting conditions, which unquestionably were the controlling factors at the Battle of Bunker Hill, it becomes evident that again something was happening quite outside the ordinary course of events. In fact, here again the old order was arrayed against the new, which was destined to supersede it.

On the Hill Before the Battle (June 16–17, 1775)

The Americans were well used to work with spade and shovel, and were able to accomplish in the night what seemed a miracle to the British. The intrenchment marked out by the engineer, Colonel Gridley, was described in the account of the Committee of Safety as "a small redoubt about eight rods square." There was also a breastwork beginning a short distance from the redoubt, on a line with its eastern side and extending about one hundred yards north. These earthworks were sufficiently completed on June 17 to be a good protection for the defenders. As it soon became evident to the Americans that this intrenched position could easily be outflanked by the British, the American line was extended to the Mystic River by making use of a fence about six hundred feet in the rear of the redoubt. This was the "rail fence," so called because it consisted of two wooden rails on top of a low stone wall. Parallel to this another fence of rails was built, and the space between was filled with newly cut hay which was lying in the fields. This improvised defense was only a flimsy protection at the best. It was described, in Stedman's contemporary British account, as "nothing more than a breastwork of rails and hay easy to be scrambled over."

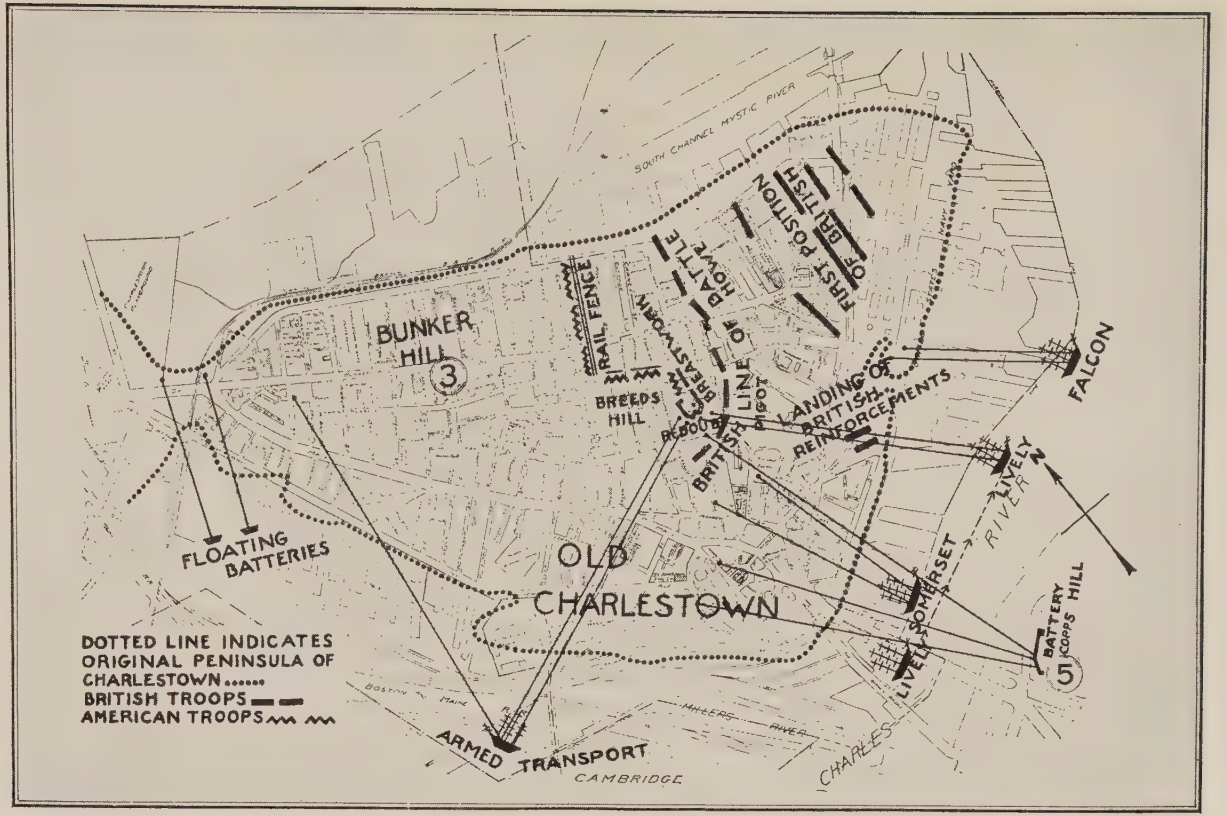
The leisurely preparations of the British delayed their assault against the Charlestown heights until afternoon. For the Americans this was a period of actual suffering, after their exertions of the night, as the day was hot and they received very little to eat and drink. The British had bombarded the redoubt from Copp's Hill battery and from their shipping in the Charles, as shown on the map. Fortunately for the Americans the British shipping did not go into the Mystic, and the vulnerable positions on that side of the Peninsula were not subjected to bombardment. It was while the redoubt was under fire by artillery that Colonel Prescott walked around the top of the parapet, to encourage his men, and was recognized by his brother-in-law Counciller Willard, who was in Boston with General Gage watching the Americans through glasses. Willard

had then told General Gage that Colonel Prescott was an old soldier and would fight hard—a prediction which the British commander was to find true.

Prescott had sent to General Ward for reinforcements, and Putnam had also urged that more troops should be sent to Charlestown. But, in addition to the utter lack of organization of the Americans, General Ward was reluctant to weaken his main body, as he feared British attacks against Cambridge. It was only after a consultation with the Committee of Safety that he sent the New Hampshire troops of Colonels Stark and Reed to reinforce the Americans in Charlestown.

With these accessions, the Americans awaited the British attack. General Warren and General Pomeroy had come to the redoubt to serve as volunteers. The case of Joseph Warren was an eloquent example of self-devotion. He had recently been commissioned a general by the Provincial Congress, but he refused to take any command and declared that he only desired to share the dangers of his countrymen. This heroic example of their beloved Dr. Warren had an inspiring effect upon the Americans, and did much to counteract the feeling in their ranks that they were being abandoned by their countrymen to the dangers of their exposed position. He remained at the redoubt throughout the assault.

In the American dispositions to resist the British, Colonel Prescott was in personal command at the redoubt and breastwork. At the rail fence were the New Hampshire troops of Stark and Reed, with the Connecticut troops of Knowlton. These last had been in Prescott's original force. The troops in the earthworks and those at the rail fence were respectively the right and left of the American line of defense; and the circumstances of the action made each of these practically an independent force. Putnam was with the left, and on horseback. He was zealous and tireless in bringing troops into the battle and directing the fighting on that part of the field. Straggling reinforcements arrived at different times during the action, but there was also a proportion of men drifting away from the field. A true estimate of the American strength in the



Drawn by Thomas G. Frothingham, Captain, U. S. R., June, 1925

THE BATTLE OF BUNKER HILL
Showing the positions of the American and British Forces on June 17, 1775

battle can be given by stating that there never were more than fifteen hundred muskets available for the defense.

The British Assaults (June 17, 1775)

The British troops had been ferried across from Boston and landed on the present site of the Charlestown Navy Yard. Their main body formed at Moulton's Point and waited for reinforcements. These last were landed on the left of the main body. The British dispositions took a great deal of time, and it was nearly three o'clock when the whole British force was assembled. At that time about 2,500 British had been landed in Charlestown. Thereupon, a heavy bombardment of the American intrenchments began from the British batteries and shipping. This was intended to cover the advance of the British. There was also a cannonade directed against Roxbury from the British lines—and this was the only other demonstration against the American army, instead of the British attacks anticipated by General Ward.

General Howe was in command of the British forces sent to Charlestown. Howe disposed his troops in two divisions. He himself commanded the attack against the American left, in position at the rail fence. General Pigot commanded the division which attacked the American right in the earthworks. The British artillery was in position to move forward with the assaulting troops. Its fire practically put out of action in short order the light American fieldpieces, which had been placed in the gap between the breastworks and the rail fence. But the advance of the British artillery was stopped by the miry ground at the base of the hill.

The attacks of both divisions of the British were typical of the artificial tactics of the day. Following the usual prescribed forms, the Regulars were fully equipped for field service—and this meant that they were actually burdened with knapsacks and provisions for three days! This foolish addition to the stiff and cumbersome uniform of the times was an unnecessary handicap for the British Regulars, as they plodded through rough fields and long grass under the burning sun of the hot June day, with painful

efforts to keep the stiff alignment of their ranks as they clambered over fences. The British troops were formed in close order, widely extended against the whole length of the American positions. They thus offered the best possible target for their enemies, instead of moving forward in column with less exposure. As they advanced against the Colonists, they fired formal volleys, unaimed, and ineffective because their "balls passed over the heads of the Americans." All this would be almost inconceivable in these days, but it is a true description of the British array.

On the part of the Americans, their officers were able to restrain them until the British were within sure range, and thus their fire was delivered in the way that would do the most harm.

These causes produced their inevitable effect. The sudden well aimed volume of fire from the Americans was so surprisingly deadly that the disciplined Regulars could not endure it. Both divisions of British broke and retreated.

They were soon rallied by their officers and for a second time advanced, but in the same ill judged order, against the American front. As was only natural, the result was the same. Again, at the prescribed distance, the British met such a destructive fire that they gave way and retreated out of range.

After the British had again been rallied, and with a reinforcement, General Howe resolved upon a third attack in a different manner. He ordered his troops to discard the cumbersome knapsacks and to move forward in column against the redoubt alone. This was a more dangerous method of attack, and the colonists were no longer able to withstand any assault. Their ammunition was exhausted, and, as hardly any of them were equipped with bayonets, the British found little difficulty in carrying the redoubt and driving out the Americans. Most of the losses of the colonists came at this stage, but these losses were not so severe as might have been expected (441 killed and wounded). The Americans were favored in their retreat by the dense cloud of dust from the dry dug up

earth. The exhausted British did not pursue beyond Bunker Hill. And the retreat of the Colonists was also protected by the men from the rail fence and by tardy reinforcements, which General Ward had at last been induced to send—too late for the event of the battle.

Unprecedented Losses of the British

These were the essentials of the Battle of Bunker Hill, of which the outstanding feature was the awful loss of the British from musket fire, which had repulsed them until the ammunition of the Colonists had failed. The severity of these successive repulses was glossed over in the British reports, and in the letters sent to England. General Gage's official report of the battle is a curiosity of war literature in its bland euphemistic phrases. The version adopted in British reports and letters merely told of a repulse followed by a rally which carried the works impetuously by the bayonet. This is the tenor of the narrative of the battle in Stedman's contemporary British *History of the American War.* And from this account no one would imagine that a third attack was necessary. But the author, a British officer who was actually with the British Army during the Revolution, in his eagerness to praise the gallantry of the British troops, broke away from the conventional version to which he had adhered in his account of the battle. On a following page he forgot the measured phrases, and gave a spontaneous description of the difficulties encountered, so vivid that it stands today as probably the best picture of the British attacks:

"If anything had been wanting to show the bravery and discipline of the British troops, the action at Bunker Hill furnished an ample proof of both. Twice were they stopped, and twice returned to the charge. In the midst of a hot summer day, incumbered with three days provisions, their knapsacks on their backs, which together with cartouche-box, ammunition, and firelock, may be estimated one hundred and twenty-five pounds weight, with a steep hill to ascend, covered with grass reaching to their knees, and in the face of a hot and well-directed fire, they gained a complete victory over three times their own number (for such was the

British general's estimate) of provincials strongly posted behind a breast work, and defended by a redoubt."

The strongest testimony of the effect of the unexpected losses on the British was the foregoing exaggerated estimate of the numbers of the colonists. This report from General Howe reflected the first impression among the British, derived from the idea that there must have been great numbers to inflict such great losses. But soon the truth as to the inferior numbers of the Americans became a matter of common knowledge, even in Great Britain. The narrative in the British *Annual Register* for 1775 stated that the numbers of the Colonists "was not probably so large as it was made in the Gazette account."

The British official return of losses was 1,054. But it is known that this return did not tell the tale, which was softened as much as possible. The *History of the British Army* has explained that the wounded of one regiment "were accidentally omitted from the official list," and that "these probably numbered at least 100." Taken altogether it is evident that it was very nearly a case of each American musket putting an enemy out of action. Such a loss was unprecedented, and the moral effect lasted throughout the Revolution. The same British authority has stated: "The combat produced a remarkable effect on the future operations of the war. It shook the nerve of Howe, and showed the British that subjugation of the Colonies would be no child's-play."

There is no mistaking the effect upon the British of this knowledge, that a small force of Americans had proved able to inflict such unprecedented losses. In his report of the action General Gage wrote: "The trials we have had show the rebels are not the despicable rabble too many have supposed."

The Americans After the Battle

On the side of the Americans there were two circumstances which increased the effect of the battle. In the first attack the British had been annoyed by the shots of the Colonists from the buildings in Charlestown. Howe reported this to Boston, and the British burned the town, by means of inflammable "carcases" from the Copp's Hill battery and firing parties from the British shipping. This retaliation was

justified by the usages of warfare: but the burning of the town aroused great indignation throughout the Colonies. It was natural that this act of destruction of homes and belongings made a strong appeal to public opinion and intensified the feeling against the British.

The other event which strongly moved the public imagination was the sacrifice of the life of Joseph Warren, who was killed in the retreat from the redoubt. He had been a leader among his countrymen in devotion to the cause of their liberties. He was President of the Provincial Congress, and was esteemed and loved by all. The comments at the time made it evident that his noble death had an influence which kept him a leader in the path of liberty, as he had always been when alive.

The whole effect of the battle on the Colonists was to unite them in the conviction that this was war, and that it must be fought out. Nothing could have been more dramatic than the action and its surroundings. It was an arena with thousands of spectators, and a scene that imprinted itself on the minds of those who heard its story. Yet it cannot be said that the Colonists appreciated what had been accomplished —the profound impression made upon the British, which was the all-important result of the battle. On the contrary, the prevailing feeling among the Americans was censure for the lack of leadership and support, which had left the detachment at Charlestown exposed to the full force of the British. There was anger at the incompetence and apathy, which had been in evidence everywhere. In fact, many American officers were punished for failing in their duty on June 17. The trouble was not on the field of battle, where all behaved wonderfully well, but a wretched state of affairs elsewhere. One of the verdicts against an officer expressed the true situation by citing "the great confusion that attended that day's transactions."

The *History of the British Army* has stated that the battle "not only elated the Americans, as was but natural and just, but encouraged them" to over-confidence. However, this must be considered as a British authority reading into the minds of the Americans the strong impression made upon the minds of the British. It did not portray the actual state of mind

among the Americans, which, on the contrary, reflected general dissatisfaction.

Washington in Command (July, 1775)

However, the confused situation, which was responsible for the helplessness throughout the American army on the day of Bunker Hill, was soon a matter of the past. June 15, Congress made George Washington Commander-in-Chief. His journey to Boston was marked by popular demonstrations and he was met by a committee of the Provincial Congress at Springfield. On July 3 he formally took command of the army.

Washington's general order of July 4, 1775, at once put everything on a new basis: "The Continental Congress having now taken all the troops of the several colonies which have been raised, or which may hereafter be raised, for the support and defense of the liberties of America, into their pay and service, they are now troops of the United Provinces of North America; and it is to be hoped that all distinctions of colonies will be laid aside, so that one and the same spirit may animate the whole, and the only contest be, who shall render, on this great and trying occasion, the most essential service to the common cause in which we are all engaged." These high ideals remained the guiding influence of George Washington from the beginning to the end of his command of the American Army.

The new Commander-in-Chief left a written record of the military situation he found at Boston. The British had retained possession of the Charlestown peninsula, and had built a strong intrenchment on Bunker Hill, "with their sentries extended about one hundred and fifty yards on this side of the narrowest part of the Neck." They had three floating batteries in the Mystic and a warship in the Charles upstream from the battery on Copp's Hill. "Upon Roxbury Neck, they are also deeply intrenched and strongly fortified . . . The bulk of their army, commanded by General Howe, lies on Bunker's Hill and the remainder on Roxbury Neck, except the light horse, and a few men in the town of Boston."

On the side of the Americans, there had been apprehensions of British activities after the Battle of Bunker Hill. These

had been groundless, as, with the exception of skirmishes, there had been no more fighting. Yet the fear of British attacks stimulated the Colonists to work on their intrenchments about Boston. General Washington described these as follows: "About two hundred rods below the college we have a redoubt, which begins the line; then about sixty rods from that another redoubt, and the lines continued near an hundred rods; then, at Charlestown road, at the foot of Prospect Hill another redoubt and strong fortification; then on Prospect Hill is Putnam's Post, a very strong fortification; then between that and Winter Hill a strong citadel and lines over Charlestown road to Mystic; then in Mrs. Temple's pasture (Ten Hill Farm) a strong redoubt that commands the Mystic River; so that we have a complete line of circumvallation from Charles River to Mystic River. On Roxbury side the enemy have dug across the Neck and let the water through; and our people in turn have intrenched across the outer end of the Neck, and are strongly fortified there, and on the hill by the meeting-house."

Difficulties of the Besiegers (1775 – 1776)

As has been described, the force of Colonists gathered about Boston was not in any sense an organized army. General Washington wrote: "I found a mixed multitude of people here, under very little discipline, order, or government." It was his impossible task to attempt to organize this "multitude" into an army. It was necessary to remodel the whole mass, and Washington's effort was one constant struggle against jealousies, quarrels, avarice for private gain, in addition to the general disorder and laxity of a people unused to being ruled or controlled. These adverse elements were always obstacles with which Washington was forced to contend throughout his command. It was only his extraordinary personality and genius that accomplished results against such great difficulties.

There can be no question of the effect of Washington's greatness of character upon all with whom he came in contact. The testimony to this is universal; and even these ill cemented forces felt from the first that here was a Commander-in-Chief in very fact. There was no longer any ques-

tion of divided command. Instead of the separate groups of Colonists, the army was organized in three grand divisions of two brigades each. General Ward commanded the right wing at Roxbury and its vicinity; General Putnam in Cambridge was in command of the center. General Lee commanded the left wing, of which the main positions were Prospect Hill, held by Brigadier General Greene, and Winter Hill, under Brigadier General Sullivan. Washington's presence pervaded the whole array, and he was indefatigable in strengthening the intrenchments of the besiegers.

In spite of all his exertions, there was still the strange anomaly of a besieging army that was unable to carry on besieging operations. There was not yet even a pretense of siege artillery. Worse than this, early in August, Washington was obliged to write to Congress: "Our situation, in the article of powder, is much more alarming than I had the most distant idea of." In fact, the besieging American General was not only unable to attack his enemy, but he was in constant anxiety lest his ill-equipped army should be attacked by the British.

Conditions in Boston (July – October, 1775)

General Gage did not venture any such attack. On the contrary, he was so discouraged that he had despaired of results in Massachusetts. At the last of July he was already urging the Ministry to abandon efforts in New England and transfer operations to New York. Far from any attempts against the weakness of the Americans, the British were only apprehensive of American attacks. Even after being reinforced there was no thought in General Gage's mind of attacking the Americans.

As was natural, many of the inhabitants had left Boston. In the last week of July the inhabitants were stated at 6,753, the troops, with their dependents, women, and children, at 13,600. The British showed but little enterprise in procuring fresh provisions, and there was sickness in consequence of too much salted food. In October, General Gage was recalled, and General Howe assumed command. Howe was as pessimistic as his predecessor, and did not delay in urging the Ministry to abandon Boston, although he felt assured that

the town "would be in no danger from the enemy during the winter." In this half-hearted spirit the British prepared only to hold Boston, against besiegers who had no means of attack.

Blockade Through the Winter (1775-1776)

These attendant circumstances, the pessimism of the British and the lack of strength of the Americans, had decreed that the ensuing winter was to see merely a blockade of Boston. Congress had grown impatient for action, and a delegation was sent to Washington's camp. They found that the American commander, although eager for an offensive, lacked all means of carrying out his desires; and it was evident there was no chance for an active siege. All that was possible for the zealous Washington was to strengthen the American positions, in constant apprehension that Howe would find out the weakness of the Americans. Instead of being able to fight his enemy, Washington was compelled to fight against desertion, which threatened to disperse his army; and it was not until December that he could write that "things wear a better complexion here."

Washington's Fleet (1775–1776)

At the end of the summer of 1775, Congress was still undecided as to the expediency of fitting out armed ships. However, as all the British supplies were brought by sea, Washington soon saw the importance of cutting off these supplies. For this purpose he resolved to create a force of armed ships, and he accomplished this in a novel and ingenious way, which was typical of the resourcefulness of Washington. He actually gave Army commissions to the commanders of ships and put on board detachments from the American Army as crews.

This extraordinary process for procuring a naval personnel would have been impossible in any other army. But Washington had found in his own army a regiment which was made up of trained sailors. This was the regiment of Colonel John Glover of Marblehead, which was well called "amphibious." With this element to draw upon, Washington fitted out his armed ships, manned, as he himself wrote, by "soldiers who have been bred to the sea."

The results of this novel method are set forth in detail in a later chapter of this volume. The first of this fleet was the schooner *Hannah,* commanded by Captain Nicholson Broughton of Marblehead and manned by a detachment from Colonel Glover's regiment. The status of this vessel was fixed beyond any question, by Washington's orders to Captain Broughton (September 2, 1775) as "fitted out and equipped with arms, ammunitions, and provisions, at the Continental expense." This was altogether different from anything that had hitherto happened in the Revolution. Vessels had been armed against the British by authorization from a Colony; this was the first warship regularly commissioned by the authority derived from the United Colonies of America, and given a definite mission against the enemy.

Moreover, the sequence of events made this the actual beginning of the United States Navy. Washington kept on and commissioned other warships in the same way. Congress was aroused, and, on October 5, 1775, instructed Washington to fit out armed vessels. In addition, a committee of Congress was appointed, called the "Naval Committee," consisting of John Adams, John Langdon, and Silas Deane; and there was such a rapid march of events that, in February, 1776, it was a matter of record that Congress provided an increase of "the pay of Joseph Reed, Esq., Secretary to General Washington, on account of the extraordinary services attending the office by reason of the direction of the Navy Department." From the foregoing it is evident that this project of Washington developed into a real naval organization for the United Colonies.

This little fleet was of great value throughout the siege of Boston. Its armed ships captured over thirty prizes, and thus did much to increase the hardships of the British Army in Boston. The schooner *Lee,* commanded by Captain John Manley of Marblehead, was the most successful of these vessels. His ability won the approval of Washington, who made him commodore of his fleet, January 1, 1776. The British showed little energy in protecting their supply ships, by means of their naval forces, against the depredations of these weak enemies. In November, 1775, the *Lee* actually was allowed to capture the *Nancy,* a large brigantine loaded with

ordnance supplies for the British Army in Boston. This was the most important prize of the siege, and the capture was hailed with rejoicings throughout the camp.

A Siege Train at Last Supplied (1776)

These accessions, and all Washington's exertions, did not give him the necessary strength in ordnance to press the siege. And thus the winter passed, with the British inactive, and the eager Washington too weak to undertake any real attacks against the British garrison. At last this lack of ordnance was remedied by the extraordinary enterprise of General Knox, who brought down from Ticonderoga and Crown Point a train of heavy ordnance. These were pieces captured from the British when the British forts were taken by the Americans. It was an accomplishment worthy of all praise, for Knox overcame difficulties that seemed prohibitive, over trails that could not be called roads, and rendered almost impassable by snow and ice.

The success of this undertaking brought to Washington's army over fifty heavy cannon, mortars, and howitzers. A supply of shot had been procured from the King's store house in New York. The ordnance captured from the *Nancy* eked out this supply, and the Americans were thus able to increase their store of powder. Consequently, in February, 1776, Washington possessed the strength of artillery he needed to take the offensive.

Occupation of Dorchester Heights (March, 1776)

There was no doubt in the mind of Washington as to the choice of the best move against the British in Boston. In fact, he had decided in advance that the occupation of Dorchester Heights would be undertaken as soon as the Americans were well enough supplied with munitions. Washington did not delay in using his new strength to carry out this project; but it must be understood that this occupation of Dorchester Heights was altogether different from the rash occupation of the Charlestown heights on the night of June 16, 1775.

This time, in contrast to the unsound plan of sending the isolated American force to the position on the Charlestown

peninsula, there were well devised and well coördinated plans for a general action against the British. On the night of March 4, 1776, Washington sent an American force of 2,000, under General Thomas, to take position and intrench on Dorchester Heights. Not only on the morning of March 5 was General Thomas already in an intrenched position and well supplied, but he was also reinforced on that day by an additional 2,000 troops. Moreover, 4,000 chosen American troops were held prepared to make an attack from Cambridge upon the British, under the cover of floating batteries, and with the coöperation of the American troops from Roxbury.

This design had been a well kept secret, and its execution had been covered by severe cannonades from the American positions for three days, to divert the attention of the British. As a result, the movement of the Americans to Dorchester Heights was not discovered. For the British, the revelation of the American works was as much of a surprise as had been the sudden apparition on the heights of Charlestown in the morning of June 17, 1775. Howe wrote: "It must have been the employment of at least 12,000 men."

The Decisive Result (March, 1776)

The measures undertaken by Howe against these works can only be called half-way and half-hearted. Instead of any adequate preparation to cope with the situation, 2,400 British troops under Lord Percy were put on board transports to attack the intrenched Americans. The idea can now be dismissed, as a military impossibility, that this number of British troops would have been able to accomplish anything against the strongly posted force of Thomas on Dorchester Heights. The question as to whether the British might have attempted an assault was never put to the test, as there was a storm with strong winds and a high surf, which kept Lord Percy's troops in their transports.

On March 7, Howe decided that the positions on Dorchester Heights were too strong to attack—and an ingenious weapon of defense devised by the Americans was not destined to be tried in warfare! The Americans had placed in position on the brow of the steep hill, in front of their works, rows of

barrels filled with loose earth and stones, to be rolled down to break the ranks of the British. Upon giving up the idea of attacking these works, Howe also abandoned all thought of resistance, and decided to evacuate Boston. On March 8 he began informal negotiations, through prominent citizens of Boston, with the object of securing the withdrawal of the British forces unharmed in exchange for the safety of the town of Boston.

Thus quickly was the decisive military result won without a battle; but there can be no question of the fact that the bloodless battle of Dorchester Heights was won on the blood-stained field of the battle of Bunker Hill. The menacing spectre of Bunker Hill hung over the intrenchments on Dorchester Heights. And this dread shape, with its threat of another scene of slaughter unknown to European warfare, was a danger the British were unable to face. Then and there the Battle of Bunker Hill became a decisive victory for the Americans.

The Evacuation (March 17, 1776)

There was some delay in preparations before the British troops left the town, but this result was never in doubt, and the circumstances of the case made the evacuation peaceful. The official British announcement was as follows: "General Howe, commander-in-chief of his majesty's forces in North America, having taken a resolution on the seventh of March to remove from Boston to Halifax with the troops under his command, and such of the inhabitants, with their effects, as were desirous to continue under the protection of his majesty's forces; the embarkation was effected the 17th of the same month, with the greatest order and regularity, and without the least interference from the rebels."

In this announcement was a reference to a pathetic phase of the evacuation. More than a thousand refugees left Boston with the British troops. These were Loyalists who had pinned their fortunes to the Royal cause. Many of them were to become expatriated, as the expulsion of the British army, on which they had relied, meant that they were leaving their homes forever.

The Results of the Siege (1775-1776)

In Great Britain the news of the evacuation was unexpected, and it made a painful impression. The blow to British prestige could not be mistaken. The excuses of the Ministry, that the British general had "only shifted his position," could not make public opinion blind to the fact that the British general had been driven out of Boston. This caused much adverse criticism, in Parliament and out of it.

In America, this blow to British prestige did great harm to the Royal cause throughout the Colonies. Its object lesson, that the Americans had been able to drive out a strong British army, had been so conspicuous that it could not be misunderstood. Therein lay the true significance of the inscription on the medal voted by Congress to Washington, "Hostibus primo fugatis", and this "first putting the enemy to flight" gave a new aspect to the war—which must be added to the immediate results of the siege itself.

Yet the immediate results of the siege were certainly decisive, in every sense of the word. In Massachusetts it was a final blow for Royal rule. The evacuation of Boston meant the evacuation of Massachusetts—and forever. King Street was to become State Street. This was symbolical of the change brought about by the expulsion of the British troops from Boston, because the Commonwealth of Massachusetts was destined to be a State of the United States. Never again was there any danger of British rule for Massachusetts.

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CHAPTER II

MASSACHUSETTS ON THE SEAS IN THE WAR OF THE REVOLUTION (1775–1783)

By Octavius T. Howe
Expert in Naval History

Irregular Privateering (1775)

Privateering and piracy, terms which in early days seem to have been almost synonymous, date back to the establishment of commercial relations between different nations and peoples. Gradually, however, maritime laws were evolved, which, among civilized nations, drew a sharp distinction between privateers and pirates. The privateer was an authorized vessel of war, carrying papers empowering it to destroy or capture and send into port any vessel belonging to a country with which the nation issuing the commission was at war. The prize, however, had to be tried in a court of admiralty and pronounced legal or illegal. In the latter case the vessel was released to the owners, and suit for damages could be brought against the captors. Any capture made by an unauthorized party was piracy.

During the maritime wars of the seventeenth and eighteenth centuries the Massachusetts colonies had often profited by this war on private property. During the early months of 1775, when the country was seething with patriotism and war with England seemed imminent, several cases of illegal seizure of British vessels occurred, which, though revolutionary in their character, were hailed with enthusiasm and approval by a great majority of the citizens of Massachusetts.

Early in May 1775, Captain Linzee, of the British sloop of war *Falcon*, seized two sloops at New Bedford, one of them belonging to Wareham, with the intention of sending them to Martha's Vineyard to load sheep for Boston; but while on their way, manned by a crew from the *Falcon*, they were recaptured by an expedition led by Daniel Egery and Captain Pope. The sloops were not taken without a struggle, during which three of the men from the *Falcon* were wounded, one of them mortally. The prisoners, thirteen in number, were sent secretly to Boston, as the Quakers of New Bedford, through a writ of *habeas corpus*, made an effort to have them returned to the *Falcon* with an apology.

Another case of illegal capture occurred off Machias, Me. Two sloops, the *Polly* and the *Unity*, under convoy of the armed British schooner *Margaretta*, were in the harbor of Machias waiting for a cargo of lumber for the use of the British troops in Boston. The patriots of Machias decided that no lumber for the purpose designated should be shipped to Boston. Having first seized the two sloops, June 12-13, a party of forty men in the sloop *Unity*, under command of Jeremiah O'Brien, followed the *Margaretta*, which was endeavoring to escape, overtook her, and after a sharp battle which lasted an hour, during which there was loss of life on both sides, seized her and brought her back to Machias.

About a month after the capture of the *Margaretta*, two armed British vessels, the schooner *Diligent* and the tender *Tapnaquish*, appeared off Machias and were captured by Jeremiah O'Brien in the *Machias Liberty*,—late the sloop *Unity*,—and Benjamin Foster in another vessel. Later in the year a number of vessels were seized by private individuals going out in boats from our coast towns; but all, or most of these, were returned to their owners.

Washington's Commissions (1775–1776)

George Washington took command of the army at Cambridge, July 3, 1775, but it was not until September that he found time to take up the question of warfare on the seas. September 2, 1775, the first regular commission for sea

service under Continental direction was issued. On that date, acting under general powers, Washington writes to Nicholas Broughton of Marblehead: "You, being appointed captain in the army of the United Provinces of North America, are directed to take charge of a detachment of said army and proceed on board the Schooner *Hannah* at Beverly, lately fitted out with arms, ammunition and provisions."

The *Hannah* was a fishing schooner belonging to Colonel Glover, who, although a citizen of Marblehead, owned a wharf in Beverly and conducted his fishing business from that place. In accordance with this order, Captain Broughton, taking a detachment from Colonel Glover's regiment of fishermen, hoisted his flag on the *Hannah* and sailed on his cruise. September 7, 1775, he writes General Washington: "I beg leave to acquaint your Excellency that I sailed from Beverly last Tuesday and proceeded on my course. Took a ship off Cape Ann and sent her into Gloucester." This prize, the first taken by a regularly commissioned Continental vessel, was the British ship *Unity,* laden with naval stores.

At the time the *Hannah* sailed from Beverly two vessels were lying at the wharves of that town, which had been hired for the same purpose, the *Lynch* and the *Franklin.* On the return of the *Hannah,* Captain Broughton was ordered to take command of the *Lynch* and Captain Selman of the *Franklin.* The two vessels were ordered, when ready, to cruise in the Gulf of St. Lawrence and intercept British transports bound for Quebec and expected about this time. Although the two vessels took a few prizes they missed the transports and returned to Beverly. The *Hannah* had not proved fit for the purpose for which she was hired and Colonel Glover had chartered for the Continental service a Marblehead vessel, the *Lee,* noted for her good qualities. The *Hannah, Lynch, Franklin* and *Lee* were all hired on the same terms, four shillings per ton per month, or five shillings four pence lawful money.

The man chosen to command the *Lee* was John Manly of Marblehead. Captain Manly was one of the few naval officers who seemed to suit General Washington and he

held during the whole war a deserved reputation for conduct and courage. October 28, 1775, Captain Manly sailed on his first cruise in the *Lee,* flying the pine-tree flag from his main truck, and towards the last of November captured the British brigantine *Nancy,* laden with military stores. The *Nancy* was sent into Gloucester and her cargo, of inestimable value, was loaded into wagons and sent over the road to Cambridge.

The *Franklin,* after her cruise under Captain Selman, had remained in Beverly harbor and Captain Samuel Tucker was appointed her commander. February 9, 1776, Captain Tucker sailed from Beverly in company with the *Lee,*—now under command of Captain Waters,—and was fortunate enough to capture two British transports, laden with supplies, and carrying 320 troops for the garrison in Boston. The capture of these vessels was of great importance to the American cause, as possession of the prisoners taken aboard rendered it almost impossible for the British to treat their American prisoners as rebels.

In his instruction to Captain Tucker for this cruise, Washington writes: "Treat prisoners with kindness and humanity. Their stock of money and clothing must be returned to them." It is to the credit of the officers of American privateers that these instructions, especially the first, have usually been observed; but privateering is rough business and a disposition to make free with the property of prisoners has characterized the privateer crews of every nation.

Cruises Under Commodore Manly (1778)

January 1, 1776, Captain Manly was appointed commodore of Washington's fleet, which at this time included, in addition to the *Lynch, Franklin* and *Lee,* the schooners *Warren* and *Harrison* and the Commodore's flag ship, the schooner *Hancock.* The brigantine *Washington,* a former member of the fleet, had been captured by the British in December, 1775. The fleet continued to cruise during the whole of 1776 with considerable success, but with the loss of the *Warren* which was captured by the British frigate *Milford.*

During the year 1776 and the early months of 1777, certain of our Massachusetts privateers were hired by the Council to cruise with Continental and State vessels, the whole fleet under command of Commodore Manly. The contract between the Council and the owners of the armed vessels, bound the State, for a fixed time, to insure the owners against loss by sea or enemy; to reimburse them for all powder expended; to divide any prize money equally among the fleet and to give each privateer one month's extra pay as a bonus. In return the owners gave a bond to the amount of £6000 that they would keep the agreement and obey Captain Manly's orders.

These cruises with Captain Manly were unpopular with both the owners and commanders of our privateers; and this unwillingness to work with either State or Continental vessels characterized our private armed navy during the whole war. Early in 1777 Washington's fleet was broken up by order of the Marine Committee of Congress.

Although the vessels commissioned by Washington were in no sense privateers but vessels hired by the United Colonies, yet the fact that they were officered and manned by citizens of Massachusetts and cruised before courts of admiralty had been established, puts them in a class by themselves. Certainly the conduct of the crews of some of these vessels, their lack of discipline, their readiness to loot the cargoes of prizes, their frequent desertion and disobedience of orders, show that "Our rascally privateersmen," as Washington once called them, regarded themselves as a sort of sea-militia, who could do as they chose and go home when they pleased. It is to be remembered, however, as some extenuation of their conduct, that their pay was small and often in arrears and that prize money could not be obtained until the prize was condemned, and that was in the distant future. Still, despite the deficiencies of the crews and the incompetence of some of the commanders, the armed vessels commissioned by Washington did much to hasten the surrender of Boston and help the cause of American liberty.

The State Navy (1775–1780)

Some time in August, 1775, the two armed vessels *Machias Liberty* and *Diligent,* which had been captured in June off Machias, Me., by Jeremiah O'Brien, were taken into the service of the colony and are called the "nucleus" of the Massachusetts State Navy. Under command of O'Brien they are said to have taken some prizes and in October, 1776, they were discharged from further service.

December 29, 1775, the Massachusetts Council passed a resolution "That measures be taken by this Colony for our further Protection by Sea;" and a committee of the two houses was appointed January 12, 1776, to build five vessels. By September 1776, the sloops, *Republic, Freedom* and *Tyrannicide,*—the latter afterwards rerigged as a brigantine,—and the brigantines *Rising Empire, Independence* and *Massachusetts,* were in commission. These vessels were armed with four- and six-pound guns and each manned by 100 to 125 men. At irregular intervals, the *Hazard, Active, Mars, Defence, Tartar, Protector* and *Winthrop* were added, so fifteen vessels comprised the Massachusetts navy that cruised during the war. One by one these vessels were sold, lost, or captured by the enemy: the *Protector,* a 26-gun frigate, the heaviest armed vessel that sailed in the State navy during the war, was captured in 1781; and when the war ended the sloop *Winthrop* was the last and only vessel of the State navy in commission.

Several very creditable actions were fought during the war by vessels belonging to the State navy, the most tragic being that between the State frigate *Protector* and the British 32-gun ship *Admiral Duff.* According to the log book of the *Protector:* "June 9, 1780. At 7 a. m. saw a ship to the westward. We stood for her under English colors, the ship standing athaught of us, under English colors. Appeared to be a large ship. At 11 came alongside her. Hailed her. She answered from Jamaica. I shifted my colors and gave her a broadside; she soon returned us another. The action was very heavy for three glasses when she took fire and blew up. Got out our boats to save the men, took 55 of them. The greatest part of them

wounded with our shot and burned when the ship blew up. She was called the *Admiral Duff* of 32 guns, commanded by Richard Strang from Eustasia, laden with sugar and tobacco. We lost in the action one man and five wounded. Had several shot in our Hull."

October 26, 1776, the Massachusetts navy was placed under the administration of a Board of War, appointed by the General Court, consisting of nine men, "empowered to Order and Direct the Operations of the Force in the Pay of this State, both by sea and land." This board entered on its duties in November, 1776, and was dissolved in February, 1781.

Although the Massachusetts navy was built for the defence of the coast towns and the protection of vessels entering and leaving port, it was soon found that the type of vessel of which the State navy was composed was not fit for the purpose for which it was designed; and by 1777 the State navy was chiefly employed in cruising as commerce destroyers, a service that might well have been left to the private armed vessels of Massachusetts. The State navy, however, while too lightly armed to combat British cruisers, did help keep in check the many privateers sailing from New York and is credited with seventy prizes captured during the war.

Penobscot Expedition (1779)

June 17, 1779, a body of British troops, under command of Brigadier General McLein, landed at a point on the coast of Maine, then known as Penobscot, now as Castine, for the purpose of establishing and fortifying a post from which they might annoy the commerce of the United States of America. News of this incursion reached Boston within a week of the landing and, June 25, 1779, the General Court ordered a force of 1000 men to be raised to dislodge the enemy at Penobscot. Brigadier General Lovell was named commander of the expedition and Lieutenant Paul Revere was ordered to join in charge of the ordnance. July 1, 1779, the Council ordered the Board of War to provide transports for the troops, and the State vessels were ordered to be made ready and their crews to

be filled by impressment if necessary. Partly by offer and partly by consent yielded to an importunity which admitted neither deliberation nor denial, the State obtained for the expedition the service of twelve of the finest privateer vessels that Massachusetts could furnish.

The fleet as finally organized consisted of 19 armed vessels and 21 transports. The State contributed its whole navy to the expedition, comprising at this time the brigs *Hazard, Active* and *Tyrannicide,* of 14 guns each. The Continental vessels on the expedition were the *Warren, Diligent* and *Providence,* the largest being the *Warren,* of 32 guns; and her commander, Dudley Saltonstall, was appointed commodore of the fleet. After the usual delays consequent on a combined land and water expedition, the fleet, armed with 224 guns and carrying over 2000 men, sailed July 19, and six days later was off Penobscot.

News of the coming of the expedition reached Penobscot, July 18, and found the British ill prepared to stand the siege. The earthworks, with which they were fortifying the place, were so low in places, that, according to an English statement, a soldier with a musket under each arm could have jumped over them; and, except for the quality of their troops, they were at a great disadvantage.

The day after the arrival of the expedition, under cover of the guns of the fleet, the American land forces (mostly untrained militia, aided by marines from the armed vessels) were landed, and for a time their operations were spirited and effective, Commodore Saltonstall, however, despite the appeals of General Lovell, refused to attack and destroy the few British armed vessels which were hampering the siege. August 8, the Board of War sent to Penobscot a supply of provisions and 500 gallons of rum for the troops, and at the same time ordered General Lovell to make an immediate attack or a prompt retreat. But neither the order nor the rum could stimulate the torpidity of our forces on land or sea.

Meanwhile a British fleet, consisting of one line-of-battle ship and several frigates, had been organized at New York for the relief of the British garrison at Penobscot. The fleet sailed August 3, 1779, and after the slow passage

of eleven days was off the Penobscot River. The appearance of the British fleet in the offing was decisive. The guns on land were spiked and the troops embarked on the transports; while the armed vessels were drawn up in a crescent across the river as if to cover the transports in their retreat. No resistance was attempted, hardly a gun was fired. As the British ships approached, the American armed vessels fled, passing the transports in a wild rush up the river. The only ships captured by the British were the *Hunter* and the *Hampden;* the other vessels being set on fire and abandoned by their crews who escaped into the woods.

The total cost of the expedition as calculated by the Massachusetts Board of War was £1,739,175. February 22, 1781, Congress voted $2,000,000 to partially reimburse Massachusetts for expenses incurred in the Penobscot Expedition. January 26, 1782, the Council voted to pay the Penobscot claims, partly in cash and partly in notes. Each of the vessels chartered by the State was valued before sailing and the value set on the private armed vessels varied from £100,000 to £140,000, paper. As the vessels were valued in the depreciated currency of 1779 the State settled on the basis of one dollar in specie for fifteen in paper money. The owners of the *Hector,* the highest valued privateer in the expedition, received £11,317, the others in proportion. Taking into consideration the fact that privateering was unprofitable after 1779, probably the merchants of Massachusetts eventually gained, rather than lost, by the destruction of their privateers at Penobscot.

Prize Courts (1775–1776)

November 1, 1775, William Bartlett of Beverly was appointed prize agent in Massachusetts for the United Colonies, with instructions to libel all prizes in his jurisdiction, and, after legal condemnation, sell them at auction, and distribute the proceeds. On the same date (November 1), the General Court of Massachusetts passed an act "For Encouraging the Fixing out of Armed vessels to Defend the Sea Coast of America and for Erecting a Court to Try

and Condemn all Vessels that shall be found infesting the same." Three admiralty districts were established; the southern, covering all the counties south of Boston, with its court at Plymouth; the middle, including Suffolk, Middlesex and Essex Counties, with its court at Ipswich; and the Eastern Coast, with its court at North Yarmouth, Me. At a later date, Dartmouth, Boston, Salem, Newburyport and Wiscasset were added as places where courts could be held. December 12, 1775, Timothy Pickering, Jr., was appointed judge of the middle district, by far the most important; and the first sitting of the court was held March 16, 1776.

One of the vessels condemned at this sitting of the court was the prize brig, *Hannah;* and at the request of Robert Morris she was bid in for Continental account. The *Hannah,* renamed *Despatch,* was given letter of marque papers and placed under command of Stephen Cleveland of Salem, with orders to proceed to Nantz and Paris; deliver despatches to our Commissioners at the latter city, and bring back arms and ammunition. The *Despatch* was one of the first letter of marque vessels sailing from Massachusetts to a foreign port.

The purchase of the *Hannah* was the last official act of Captain Bartlett. And April 25, 1776, he was succeeded by John Bradford as agent for the United Colonies.

Privateers and Naval Supplies (1775 – 1779)

The act passed by the General Court, November 1, 1775, empowered the Council to commission with letters of marque and reprisal any person or persons within the Colony, to fit out and equip at their own expense for the defence of America any vessel, and general authority to take all vessels of the enemy. The master of the private armed vessel was required to give a bond as principal, with two good names as securities, in order to satisfy any claim that might be made for illegal capture. Bonds were also required that the crews of any vessels captured should be brought as prisoners into the State, and not, as was often done, set free on some worthless prize. But prison-

ers were dangerous and expensive freight to carry, and the bonds were often evaded.

The first privateers sailing from Massachusetts were small craft taken from the merchant service and not well adapted for the work in which they were engaged. Some were sloops, many were schooners, but the favorite rig was the brigantine. The latter carried a large spanker with a square sail, instead of a gaff-topsail, on the mainmast. After 1777 many of our large privateers were ship rigged and built for the purpose for which they were to be used. The officers of a privateer received the same titles, wore a similar uniform, and sailed under the same flag as in the Continental Navy; but only the larger privateers carried marines.

The cannon used on all our armed vessels was the long gun as distinguished from the carronade; and, as the latter did not come into use on British naval ships until 1779, it was only from a British prize that a carronade could have been obtained. The large American privateers carried six- and nine-pound cannon and the latter seems to have been the largest calibre used on the private armed vessels. During the whole war the lack of sufficient ordnance was a drawback to both Army and Navy operations. The cannon acquired by the seizure of Crown Point and Ticonderoga and the capture of British ordnance vessels in 1775 helped, but it was due to secret assistance given by France and Spain that we were able to equip our Army and Navy in 1776-77. During these years we received from France 30,000 stand of arms, 30,000 uniforms, 250 cannon and a quantity of military stores. In 1777 vessels were built in French shipyards to be delivered in America, some of them so sharp "It would cut you to look at them."

Sometime in 1776 a French engineer, named Lewis de Maresquelle, arrived in Boston and offered to furnish the State with one cannon every twenty-four hours, the State to supply machinery and materials and he to build the furnaces. The offer was accepted and he was given a commission as colonel and appointed inspector of foundries. Cannon were cast at Springfield, Bridgewater and other Massachusetts towns, and by Paul Revere at his foundry

in Boston. Cannon balls in large numbers were made from bog iron, of which there were many deposits in Massachusetts.

August 4, 1775, Washington writes to Congress from Cambridge: "Our situation in the article powder is much more alarming than I had the most distant idea of. We have but 32 barrels." January 6, 1776, the Massachusetts Council, in order to encourage the manufacture of powder in the Colony, agreed to furnish Samuel Phillips at his mill in Andover sulphur and saltpetre at cost and give him a bonus of eightpence a pound on all powder manufactured. Powder was also obtained from France, Bermuda and the great neutral port of St. Eustasius; being shipped from the latter port in tea chests and rice barrels, falsely labeled. All private armed vessels were required to petition the General Court for the amount of powder deemed necessary for the cruise; and the Council fixed the price and the amount they could have. Owing to its high cost and scarcity, the use of powder on our armed vessels was limited to actual conflict.

Crews and Prize Money (1775 – 1781)

Although the War of the Revolution found Massachusetts ill-prepared in many ways for the contest, in one respect at least she stood preeminent—in the quality of the officers and men available to man our armed vessels. Privateering was no new or untried field for the mariners of Massachusetts; there were still men in the colony who had taken part in the famous expedition against Louisburg, when Sir William Pepperrell with 2000 Massachusetts militia, aided by a British fleet, captured the strongest fortified place in America. Less than twenty years had passed since the Seven Years War in which Massachusetts had done her part. Now a generation of younger men stood ready to take up the work.

The mariners of our coast towns disliked service on the land and enjoyed sea life. The more rigid discipline and somewhat languid management of the State navy did not appeal to them; but life on a privateer with a chance for adventure and quick fortune suited them exactly. Trained

in the rough school of the whale and cod fisheries, they yielded (except, perhaps, in foreign ports) that prompt obedience to their officers which their sea life had shown them to be necessary. Knowing the West Indies almost as their own coast, somewhat familiar with the registered trade with Europe, accustomed to the use of firearms, they also possessed all the dogged courage of their English progenitors, joined to a quickness of intellect and adaptability which the English sailor lacked. The mariners of Massachusetts offered such material for warfare on the sea as no other nation could furnish.

How large a share of the prize money, earned on the cruise of a privateer or voyage of a letter of marque, went to the officers and crew, depended on what share went to the owners; and this was by no means uniform. The owners of the privateer *Revenge* took one-quarter of the prize money; the owners of *Rambler* two-thirds; and there were cases where the division was two-fifths to the owners and three-fifths to the officers and crew. Whatever the proportion taken by the owners, the distribution of the balance was usually one share to each mariner, one and a half to two shares to each petty officer, three shares to the second and third lieutenants, to the first lieutenant four shares. The captain received eight shares.

It was often necessary for a married or improvident seaman, signing for a cruise on a private armed vessel, to make some provision for his family or creditors; and this he could do by selling his prospective share of the prize money, which was negotiable and commanded a high or low price according to the reputation of the vessel, the skill of the captain or the necessities of the seller. The spirit of gambling, always rife in times of war or inflated currency, made these shares an attractive speculation and they were divided like lottery tickets—which indeed they were—into halves, quarters and eighths and floated on the market. The following is a type of such a sale:

"Beverly, 1776. Hiram Brookhouse, in consideration of $16 paid in hand and a further consideration of $24 at the end of the cruise of sloop *Revenge,* Captain Benjamin Dean, sells one half his share of prize money and gives order on the

Agent." One Waters seems to have dealt quite extensively in this kind of speculation and at times paid as high as $100 for a quarter of a share.

Prizes (1775 - 1776)

During the year 1775 most of the prizes taken by our privateers were unarmed craft, and captured off our coast or in the Gulf of St. Lawrence; but during 1776 our privateers extended their operations and from the British provinces on the north to the West Indies in the south, they took heavy toll. They crossed the Atlantic and infested the coasts of France, England and Spain, sending some of their prizes into French and Spanish ports. France, not yet ready for a war with England, refused to allow our prizes to be tried in her admiralty courts or sold in France, but remained blind to the fact that they were sold, in the offings of her harbors, to French merchants who reaped a rich harvest by the transaction.

Spain, despite British protests, gave our armed vessels all the rights of neutrals and Bilbao became the favorite foreign port for American privateers. The privateer *Hawk,* on her return to this country in the autumn of 1776, reported that when she left Bilbao there were 18 American private armed vessels in that port. Before the war the merchants of Massachusetts had carried on an extensive trade with Spain and at Bilbao the officers and men of our armed vessels found old friends and associates. At Bilbao, too, were agents for some of our large privateering firms, who attended to repairs on the vessels, adjusted any legal complications, and, when authorized, advanced a certain amount of prize money to the officers and crews of our armed vessels. The privateersmen liked the wines and brandies of Spain, they found the society of the Spanish senoritas agreeable and, if they lingered a little too long in port or carried their revels a little too far, still, they were welcome visitors at Bilbao and the city authorities did not object.

Although most of our private armed vessels in 1776 were lightly armed and their powder defective, yet few of the British merchant vessels were armed at all and their fleets

were insufficiently guarded. It was from the Quebec and Jamaica fleets that our richest prizes were taken. These fleets once located, a cloud of American privateers would follow in their wake ("dogging them," it was called), capturing laggards, now and then dashing in and cutting out a prize, and always hoping for a storm which might scatter the fleet and give our privateers rich pickings.

The first privateer sailing from Beverly, the *Retaliation,* was fortunate enough to fall in with the Jamaica fleet and capture four rich prizes, the largest of which, the *St. Lucie* of 300 tons, carried 500 hogsheads of sugar and 20 puncheons of rum besides other cargo. Other privateers were equally fortunate and, January 3, 1777, the General Court granted permission to export sugar to the amount of 12 hogsheads for every 100 tons the vessel registered; the embargo on provisions to the contrary notwithstanding.

Taken as a whole, America had cause to be satisfied with the results of its warfare on the sea during 1776. We had captured 350 vessels from the British, of which 44 were recaptured, 18 released and 5 burned. From March 10, 1776, to the end of the year, the British captured 140 American vessels. It must be remembered that the British merchant ships as a rule were larger and more richly laden than those we lost.

Letters of Marque (1777 – 1781)

The year 1777 opened gloomily for the inhabitants of Massachusetts. "Food is getting scarce and money scarcer," writes George Williams to Colonel Pickering. The fishing industry, the basis of all exports from Massachusetts, was almost ruined and the sole hope of our coast towns lay in commerce and privateering. The scarcity of food, while in a sense real, was due more to the difficulty of transportation than to the absence of food in the country. There was rice in the Carolinas and flour in Maryland and Virginia, but the only way to obtain it was by sea and British cruisers made the voyage a dangerous one. Except for the very important item of flour, our Massachusetts coast towns were not so badly off for food as George Williams painted; the sea still furnished an inexhaustible supply of small

fish; oysters and clams could be had for the gathering; shad and salmon ran in our rivers; cattle, sheep and hogs still grazed on our meadows—but there was an actual dearth of flour, rice and coffee.

Under these circumstances our Massachusetts merchants began to convert some of their privateers into letters of marque; and from this time on, until the close of the war, this type of commission was more frequently used. A letter of marque was a merchant vessel which usually cleared for some port with a cargo,—though she might sail in ballast,—but armed to resist aggression and authorized to capture any of the enemy's vessels that came in her way. The officers of a letter of marque received the same titles as in the merchant service. With the letter of marque the capture of prizes was incidental, with the privateer it was the business of the cruise. It was within the option of the owner whether his vessel sailed under one commission or the other, but the letter of marque was usually lighter armed, carried a smaller crew, and could be run more cheaply than a privateer. At a later period of the war the distinction between the two classes of vessels became less marked.

Massachusetts Commerce During the War (1775–1781)

During the War of the Revolution, commerce between the United Colonies and neutral nations, though carried on under great difficulties, by no means ceased. Theoretically there was an embargo on all vessels in Massachusetts ports except those engaged in fishing, but permission to sail with specified articles of export was usually granted on petition to the Council. The exports from Massachusetts were limited to lumber in its various forms, dry and pickled fish and re-exports from the cargoes of captured vessels. Provisions, except fish, were too much needed for home consumption to be used for export, and even dried fish was at times scarce. The Council, therefore, vacillated between the fear of high prices and destitution at home, and the necessity of allowing some articles for export in order to obtain supplies of another character. Under these circumstances commerce was carried on in three ways: first, by un-

armed merchant vessels; second, by armed vessels provided with letters of marque. The third method was by vessels owned or chartered by the State; and while not an economical success, it did enable the State to obtain articles not otherwise procurable.

The first method was carried on by small vessels and was practically limited to coasting and West India voyages. The second was the usual method and carried the bulk of our commerce.

The official State trade had one advantage, that against it no embargo held. If sulphur or saltpetre was needed for powder, blankets for the troops, or rice for rations, the State had only to dispatch one of its own vessels and, barring the accidents of war and sea, the desired object was obtained. March 22, 1778, George Williams writes to Colonel Pickering: "State expects a brig from France with clothing; another brig in about two weeks, also two large ships bringing salt and blankets; one brig gone to Bilbao for salt and cordage and a brig and ship to France."

The voyage of the State sloop *Republic,* chronicled in the archives of Massachusetts, illustrates the lack of efficiency in public, as compared with private, control. The *Republic,* under command of Allen Hallett, was furnished with letter of marque papers and sailed from Boston for Port Royal in the autumn of 1777 with a cargo of fish and lumber. On arrival at Port Royal, November 25, 1777, Captain Hallet writes to the Naval Board: "The fish being old and not well packed turned out so bad that I had to make an allowance of four livres. The mackerel were spoiled and I was glad to get them out of the ship. The salmon were good but unsalable here. The ox bows and yokes are little used by the French. After ballasting with rum and molasses I have employed the rest of the money in coffee."

Under their letter of marque commissions our vessels traded with France, Spain, and their colonial possessions: at times picking up their cargoes at the Carolinas, where rice was always obtainable, or loading at Virginia with tobacco, bringing back to this country, salt, sugar, naval stores, clothing and brandy. Prior to its capture by the

British, the free neutral port of St. Eustasius was a source of supply and market for America. During the year 1779, our exports to that island included 12,000 hogsheads of tobacco, a large amount of indigo and fish, rice and other products.

Another branch of trade carried on from Massachusetts seems to have been an evasion of the embargo. Lumber and fish were the only available exports and lumber was a bulky and unprofitable cargo while fish commanded a ready sale. Consequently, merchants would load their vessels with small amounts of lumber and complete the cargo with dry and pickled fish. They would then obtain from the packers, or the Committee of Correspondence of the town from which they were to sail, a certificate that the cod were small burnt fish, by no means fit for consumption in this country. Armed with this certificate, the owners of the vessels would petition the Council for permission to sail for some port in the West Indies, and the Council would grant the petition. Owing to the scarcity and high price of salt there undoubtedly was a more than normal amount of imperfectly cured cod in the colony, but there were too many petitions of this kind to make this a sufficient explanation.

The amount of dried cod, for export or home consumption, was limited by the amount of salt available for its curing. Before the war Americans drew most of their supply of salt from Spain, and during the war they continued to receive certain amounts from that and other countries. Salt works were established in the early months of 1776, at Dennis, Cape Cod, and all along the Massachusetts coast salt was manufactured in small quantities by the evaporation of sea water through solar or artificial heat. Certain amounts of salt were also received from the West Indies, Bermuda and Nova Scotia. The trade with Bermuda was a legitimate one, as a resolution passed by the General Court in 1777 exempted Bermudian vessels from capture and gave them free entrance to our ports with salt and naval stores, the embargo to the contrary notwithstanding.

Nova Scotia Trade (1775–1781)

The trade with Nova Scotia was carried on under a fraudulent pretext, but with the connivance of the British and Massachusetts authorities. The towns of Barrington and Yarmouth, Nova Scotia, were largely settled by people from Barnstable and Essex Counties, Mass.; and their trade and interests before the war had been chiefly with the Bay State. During the war, up to 1781-1782, they continued their trade with Massachusetts under two pretexts: the first, based on the pretention that they wished to remove their families to Massachusetts; the second, on the relief and transportation of escaped or paroled American prisoners.

For example: May 14, 1777, Daniel Corning petitions the General Court that he may be permitted to remove his family from Yarmouth to Beverly and also sell 200 quintals of fish which he has brought with him from Nova Scotia. Corning made a number of these voyages and as late as August 30, 1780, petitioned for leave to sell 150 quintals of fish and carry back to Nova Scotia a certain amount of flour and rum. Incidentally, he states that he has not yet found time to transport his family to this country.

Another frequent visitor was Thomas Flint of Yarmouth, who writes the Council that he has arrived at Beverly bringing a number of escaped American prisoners; also ten hogsheads of salt and a quantity of dried fish which he wishes to dispose of and invest the proceeds in supplies, that he may be able to continue the good work and bring his family to Beverly. The real object of these petitions was the trade, and no removal of families took place; but the aid to prisoners was real and we needed dried fish and salt. So the trade went on.

Insurance (1775–1781)

Before the war it was possible for our merchants to insure their vessels in English companies, but most of the insurance seems to have been done through private individuals, for limited amounts and at rates agreed on between the insurer and insured. In the Nathan Dane papers is preserved an original insurance policy, taken on the schooner *Friendship* for a voyage to the West Indies and return: "Know all men

that Ebenezer Ellingwood of Beverly, Merchant, as well in his own Name and Names of all and every person or persons, to whom the Town, doth, may or shall apportion a part or in all, doth Make, Assure and Causeth himself and them and any of them, to be Insured, lost or not lost, the sum of 200 pounds from Beverly to Any or All the ports in the West Indies, and from them to Beverly again, upon the Schooner *Friendship* and Cargo, Stores, Boats and appurtances, whereof is Master, Under God, Eleazer Giles. To continue and Endure the Voyage Aforesaid and until Said Vessel shall be assured and Moored at Anchor 24 hours in safety in the harbor of Beverly. Insurance at the rate of 8 pounds per cent."

Insurance on armed vessels during the war is quoted all the way from 35 to 65 per cent. The rate on privateers was so high that many owners carried their own insurance. At times, in order to split risks, owners of private armed vessels agreed to pool the prizes or divide the profit on cargoes carried. After all, a fast ship and a good captain seem to have been the best insurance.

Effect of the French Alliance (1778–1781)

February 6, 1778, France signed a treaty with the United States, acknowledging her independence, and May 4, 1778, a treaty of alliance and commerce was ratified by Congress. The arrival of the French fleet at this country was greeted with enthusiasm and much was expected of it; but when D'Estaing sailed from Boston, November 3, 1778, he left behind only disappointment and apathy.

In June of the next year Spain joined France in the war with England; the ports of the two countries were now open to us, and our prizes could be legally condemned in their courts of admiralty. The good news, which seemed to assure the independence of the United States, failed to lighten the gloom which had settled over the merchants of Massachusetts. They had lost their finest privateers at Penobscot, an expedition which yielded neither honor nor profit; and now the competition of French and Spanish armed vessels made privateering in the West Indies unprofitable.

The year 1780 opened with pessimism still rampant. The cost of fitting out a privateer was so large, the chance of cap-

ture so great, that most merchants preferred to commission their vessels as letters of marque. British commerce, at this time, was carried on by vessels under convoy or by heavily armed letter-of-marque ships; and an armed vessel carrying a cargo offered a greater chance for profit to American owners than a privateer. Some of the richer merchants of Massachusetts, however, built a type of vessel that in speed, size and armament was capable of meeting on equal terms any British ship except a man-of-war. Then they obtained a letter-of-marque commission for what was really a disguised privateer. There seems to have been no real reason why a privateer should not carry a cargo; but, either from jealousy, or on account of the scarcity of mariners in the State, the Committee of Correspondence of the town of Salem asked the General Court to take some action in the matter.

A committee of both houses, to whom the matter was referred reported a resolve which allowed crews to letter-of-marque vessels only in proportion to tonnage: eight men for every 100 tons the vessel registered, including master and mate, and the same proportion for larger vessels. The resolution was intended to restrict letter of marque vessels to merchant voyages and was absurd on its face; of what use were letter of marque papers if the vessel had not sufficient men to man her guns or provide a prize crew for a captured ship. As a matter of fact the resolution was unnecessary and often evaded.

Crews No Longer Strictly American (1780–1783)

From 1780 to the close of the war not only was it difficult to ship a crew but the character of the crews shipped, altered and deteriorated. Few vessels now sailed with a distinctively American crew and even the State navy was enlisting foreign sailors. September 30, 1780, the ship *Viper* sailed from Salem with a crew consisting of two merchants, four shipwrights, one joiner, one farmer, one cooper and 18 foreigners. The privateer ship *Pilgrim,* of 18 guns and 160 men, was one of the best equipped vessels that sailed from Massachusetts during the war. She carried a full complement of American officers and petty officers, including a surgeon, master of marines and, rarest of all, a chaplain. Aboard were ten boys: one,

eleven years old; two, twelve; two, thirteen; and five, seventeen years or younger; but the crew were almost all of foreign birth.

Treatment of Nova Scotians (1781–1782)

The year 1781 opened under brighter auspices. The arrival of the French fleet and army, and the consequent influx of gold, served to steady the currency and improve trade; but the entrance of Holland into the war proved of little service, and in its inception was actually disastrous to our commerce. The island of St. Eustatius was the great neutral port of the West Indies and was captured by Lord Rodney before news of the war between England and Holland had reached the island. The governor of St. Eustatius made no resistance, although 600 American seamen, the crews of American vessels in port, offered their services in defence of the place.

Besides our losses at St. Eustasius, privateering proved unprofitable during 1781-1782; and the inhabitants of the Massachusetts towns, in a very sullen state of mind, began to question whether the visiting Nova Scotians were not really British spies and a menace to the country. It was probably true that they gave information to the enemy, just as they gave information of the enemy to us; and most of the Massachusetts shipowners believed that the balance of gain was in our favor; but the popular feeling was against their presence in the Colony, and the hitherto pleasant relations with Nova Scotia came to an end.

In several instances during the war the smaller Massachusetts privateers committed petty robberies on the helpless Nova Scotians, but in these cases the General Court had compelled restitution. In the summer of 1782 five small Massachusetts privateers, taking advantage of changed relations with Nova Scotia, united in an attack on the town of Lunenburg, N. S. Ninety-two men were landed under cover of the guns of the privateer *Hero;* two block houses were stormed, and the little town was ours.

The Americans, says a British account of the affair, "now fell to plundering with a pleasing and natural vivacity." The grocery stores were emptied of their contents and barrels of beef, sugar, pork and rum were run down to the wharves.

The shelves of the clothing stores were rifled, and when every thing of value had been looted and the house of the British commander burned, the town was ransomed for £1000.

"On the side of the brave sons of liberty," says a Boston paper, "three men were wounded. On the side of the abettors of despotism and oppression, one man was killed." Goods to the amount of £8000 were brought away and libeled in Boston.

Prisoners of War (1775–1783)

July 22, 1776, Congress voted to allow General Washington to exchange prisoners with the British, soldier for soldier, sailor for sailor, and officer for officer of equal rank. August 1, 1776, General Howe, in a letter to Washington, agreed to this offer of exchange. From this time on, prisoners captured by the British from American vessels and carried into British ports in North America were treated as prisoners of war and exchanged as agreed on. American prisoners carried into English ports and confined in English prisons, however, did not receive the benefits of exchange, with a few exceptions, until 1779.

The treatment of American prisoners by the British during the War of the Revolution has been stigmatized as unnecessarily cruel and contrary to the law of nations. Close examination of the facts, however, shows that the treatment was not very different from that received by the French or Dutch prisoners of war, whether soldiers or sailors. It was usually harsh, but might be cruel or lenient according to the personal character of those in charge of the prison, and the peculiar condition of the prison itself. Most of the prisoners captured on American armed vessels were confined at Halifax, Nova Scotia, at New York and at Mill prison, Plymouth, England. At Halifax the prisoners seem to have been loosely guarded and fairly treated. Mill prison was a military prison under stern discipline, with all the discomforts and petty tyrannies which are apt to accompany the herding together of large numbers of prisoners of war. In the prison ships at New York the treatment was at times brutal and attended with a disgraceful and unnecessary mortality.

Most of the stories of British cruelty in the treatment of

American mariners hang about the prison ship *Jersey*. The *Jersey* was originally a line-of-battle ship but was dismantled in 1780 and converted into a prison hulk. She was at first anchored in the East River but later was taken to Long Island and anchored in Wallabout Bay.

There was no distinction on account of rank aboard the *Jersey;* officers and men occupied the same quarters and received the same rations. Each prisoner received two-thirds of the regular allowance given the British sailors in the navy, which was one pound of beef or pork, one pound of bread and a half a pint of peas; with butter, suet and oatmeal, occasionally. The quality of the food was usually poor.

Infractions of discipline seem to have been punished with unnecessary severity and the sufferings of the prisoners were aggravated by the cruelty of Jacob Strout, the commissary of prisoners, who was detested. Overcrowding and poor ventilation were the worst features of the prison ships of New York, and small pox and typhus fever were endemic.

That the prison ships were overcrowded was partly the fault of the Americans themselves; had our private armed vessels been induced or compelled to bring back to America the crews of captured British vessels, the balance of naval prisoners against us would not have been so great; but the bonds given by our privateers that they would bring back such prisoners were so trivial, the bonus offered for such return so petty, that both bond and bonus were often ignored. On the other hand, most of the American armed vessels captured by the British were taken by men-of-war and delivered at English ports, together with their full crew.

Occasionally, on complaint of sufferers in British prisons, retaliation was practiced by the Americans, and English prisoners were ironed and treated with considerable severity. January 2, 1781, the Massachusetts Council ordered that the Naval Board be requested: "To order the Commissary of Prisoners to remove the prisoners from Noodle's Island, on board the prison ship in the harbor of Boston, and all marine prisoners that are at large in the town of Boston, and confine them in the hold of Said Ship and treat them in a similar

manner as the American prisoners are treated in the Prison Ships of New York, until a different conduct is observed by the enemy."

In 1775 an act was passed by the British Parliament, authorizing the capture and condemnation of all American vessels, with their cargoes, and authorizing the impressment of the crews of such vessels, to serve on British ships, even against America. Although the British do not seem to have used this permission to any great extent, still, there were cases where Americans were impressed and compelled to fight against their own country, and such cases were a just cause of complaint against England. It must be allowed, however, that more English prisoners were always voluntarily serving on American armed vessels than the number of American prisoners impressed on British ships.

Mercantile Conditions (1782–1783)

The year 1782, though offering bright prospects for American liberty, brought little comfort to the owners of private armed vessels. The surrender of Cornwallis meant ultimate triumph for America, but general bankruptcy seemed still more imminent. Privateering had turned out badly and many merchants could match the experience of George Williams, who wrote to Colonel Pickering: "I have lost two ships and a brig at St. Eustasia by that old Rodney and now I am reduced to a brig." The cordon of British cruisers along the coast of America became very effective; and the shipowners of Massachusetts found it safer to keep their vessels abroad, as much as possible, and send their prizes into friendly foreign ports. During the year 1782, Massachusetts issued commissions to 130 private armed vessels and there were still other vessels sailing under commissions of the preceding year. Many of these vessels were captured by British cruisers during the year; and by 1783 the list of Massachusetts armed vessels was sadly depleted.

Still, though lessened in number, American ships were by no means swept from the seas. Letter of marque vessels still brought salt, cordage and wine from Spain; brandy, silks

and cloth were imported from France and trade with the West Indies, though sadly hampered, still went on. Privateers from Massachusetts cruised on the coasts of France, England and Spain, making the English Channel almost as dangerous for British commerce as their navy made the American coast for our vessels. During the first nine months of 1782, thirty-two rich prizes were sent into the port of l'Orient by American privateers. The letter of marque *Cicero* and the privateers *Revolution* and *Buccanier,* all owned by Andrew Cabot of Beverly, during the year 1782 sent into France nine prizes captured from the Jamaica fleet, laden with 4000 hogsheads of sugar; and they continued to send in prizes until peace was declared. The *Buccanier* on her last cruise in 1783 sent eight prizes into l'Orient.

Although the financial condition of Massachusetts merchants was impaired and their credit strained, when the war ended, there were still shipowners in the State who had conserved their resources and invested part of the profits from privateering in the purchase of real estate and investments in France and Spain. It was not alone from the loss of their vessels that so many less provident merchants were in bad financial condition. Extravagant living and reckless expenditure had characterized the owners, officers and crews of our private armed vessels during the whole war. The demoralization attending all wars and the doubtful result of the struggle in which we were engaged, led men to anticipate the constant fall in the value of our paper currency and spend their money before it depreciated.

The definitive treaty of peace was signed at Paris, September 3, 1783, and was ratified by Congress, January 4, 1784. With the advent of peace, trade reasserted itself. As one reads over the arrivals and clearances of the ports of Salem and Boston, from April 4, 1783, when Captain Derby in the *Astrea* brought the first printed copy of the declaration of the Cessation of Arms, to August 6, 1783, it seems as though all the vessels lost during the seven years of war had sprung to life and assumed a peaceful guise. During that period 48 vessels arrived and 67 cleared from the port of Salem. From May 19, 1783, to September 1, 1783, 147 vessels entered the port of Boston.

Privateering Towns (1775–1784)

Out of a confused, defective and often contradictory list of private armed vessels, commissioned from 1775 to 1783, as given by different authorities, we get some idea of the part our larger Massachusetts ports took in the warfare on the seas.

The reported number of private armed vessels commissioned from Newburyport during the War of the Revolution varies, 69 being the lowest estimate, and 90 the highest. It seems probable that even the latter estimate is too small, as from 1780 to 1783 she commissioned 61 privateers and letters of marque, carrying 518 guns and 2045 men. In 1780 the town is credited with 8327 tons of shipping, only a little less than the town of Salem at that time. Her great shipowner, Nathaniel Tracy, is said to have been the principal owner in 110 vessels. From 1780 to the close of the war, either by accident of the sea or capture, Newburyport lost most of her armed vessels.

Salem probably sent out during the war a larger tonnage of private armed vessels than any other Massachusetts port. In 1780, her total tonnage, including merchant vessels, is given as 9000 tons. From 1780 to 1783, Salem commissioned 113 armed vessels, carrying 1234 guns and 4108 men. From 1775 to the recall of privateers in 1783, she is credited with 158 armed vessels, carrying 2000 guns and 6000 men. These vessels are said to have captured 445 prizes.

Marblehead, at the commencement of the war, is credited with 12,000 tons of shipping. During the war she probably lost more vessels in proportion to her population than any other Massachusetts town. By 1781 her tonnage had shrunk to 3006 tons. When the war ended she possessed only 1309 tons. From 1780 to 1783, she commissioned 9 armed vessels carrying 90 guns and 265 men. The total number of privateers commissioned during the war is said to have been thirty.

Gloucester's contribution to warfare on the seas was, in proportion to population, large, but unfortunate. Her first important privateer, the brig *Gloucester,* of 18 guns and 130 men, after taking two prizes was never again heard from. Her largest privateer, the *General Starks,* was captured and taken into Halifax. From 1780 to 1783, Gloucester commis-

sioned 24 armed vessels carrying 280 guns and 852 men. When the war ended she had lost almost all her armed vessels and one third of her poll-paying population.

Boston was not evacuated by the British until March 17, 1776, so that her part in warfare on the seas began much later than in other Massachusetts coast towns. Including State, Continental, private armed and merchant vessels, it is probable that more vessels entered and sailed from Boston than from any other Massachusetts port. Boston was the sailing port for most of the Cape Cod vessels and also for many owned in Maine and from States as far south as Virginia. One authority gives 365 as the number of vessels that sailed from Boston during the war. While Salem commissioned more and heavier armed vessels from 1780 to 1783 than Boston, yet the latter town during the same time commissioned 136 armed vessels carrying 967 guns and 3759 men, almost as many as Salem.

Beverly, when the war broke out, stood third in wealth and fifth in population in the county of Essex. Her shipping, partly fishing and partly registered vessels, amounted to 2406 tons. In 1780 it was 2844 tons. When the war ended Beverly had some 1600 tons. During the war Beverly sent out 59 vessels carrying 575 guns and 2975 men.

A few private armed vessels also sailed from Dartmouth, Plymouth, Ipswich, Salisbury and the Eastern Coast of Maine. In comparing the part taken by our larger coast towns in the warfare on the seas, we must not forget that while the port furnished the vessels, the crews were drawn from all parts of Massachusetts. So few private armed vessels were commissioned in 1783 that no account of them has been taken in the above statistics.

Influence of Private Armed Vessels on the War.

It is the opinion of Captain Mahan that privateering as a means of injuring the enemy is inferior in its results to the use of State and national vessels. This is probably true, but it presupposes that the amount of money spent in equipping private armed vessels would be expended on the navy; and that the men enrolled on the vessels would have enlisted in the State or national service. As a matter of fact, in the

War of the Revolution, it would have been impossible to raise by taxation a tithe of the money available for private armed vessels; and had the State owned the vessels they could have been filled by impressment only.

The merchants and seamen of Massachusetts were highly patriotic, but that patriotism was alloyed by personal interest; taxation and impressment to the degree required would have aroused such resentment in the State that its enforcement would have been impolitic and not to be thought of. There was little of that intense, bitter feeling against England which might have led the inhabitants of Massachusetts to sacrifice all personal interests in the pursuit of retaliation and revenge. Their patriotism needed the stimulus of some personal advantage and this they found in privateering. It appealed to the spirit of gambling, always a ruling passion in men; it offered a congenial employment to mariners, who were neither fit for nor content in land service; it afforded merchants a chance to employ their capital and ships in a speculative but alluring business; while all engaged in it could feel that they were doing their bit for the best interest of State and country.

The service rendered by Massachusetts armed vessels is not to be measured by the loss or gain of their owners, but by the damage they did the enemy and the help they gave in carrying on commercial intercourse with other nations. The ultimate freedom obtained by the United States was due to several factors and it is hard to differentiate the value to be attached to each; one of these factors, though not perhaps the greatest, was the service rendered by our private armed vessels.

Distinguished Massachusetts Naval Officers

The record of Massachusetts services on the sea during the Revolutionary War would not be complete without a brief mention of some of the more distinguished men who gained renown in that service.

Moses Brown was born in Salisbury, but was a resident of Newburyport. When 17 years of age he was present at the siege of Louisburg. In 1778 he commanded the privateer *General Arnold*. Later he was in command of the letter of

From a water color — Courtesy of Essex Institute, Salem

SHIP AMERICA, 1804, OF SALEM, MASS.
George Crowninshield & Sons, owners

IN CONGRESS.

The DELEGATES of the UNITED COLONIES of *New-Hampshire, Massachusetts-Bay, Rhode-Island, Connecticut, New-York, New-Jersey, Pennsylvania,* the Counties of *New-Castle, Kent* and *Sussex* on *Delaware, Maryland, Virginia, North-Carolina, South-Carolina,* and *Georgia,*

TO All unto whom these Presents shall come, send GREETING: KNOW YE,

THAT we have granted, and by these Presents do grant Licence and Authority to *Daniel Hathorne* Mariner, Commander of the *Schooner* called *True American* of the Burthen of *Ninety* Tons, or thereabouts, belonging to *Samuel Hathorne Henry Jordan, Wm. Jenkins* of *Salem* in the Colony of *Massachusetts Bay* mounting *Ten* Carriage Guns, and navigated by *Eighty* Men, to fit out and set forth the said *Vessel* in a warlike Manner, and by and with the said *Schooner* and the Crew thereof, by Force of Arms, to attack, seize, and take the Ships and other Vessels belonging to the Inhabitants of Great-Britain, or any of them, with their Tackle, Apparel, Furniture and Ladings, on the High Seas, or between high-water and low-water Marks, and to bring the same to some convenient Ports in the said Colonies, in Order that the Court, which are or shall be there appointed to hear and determine Causes civil and maritime, may proceed in due Form to condemn the said Captures, if they be adjudged lawful Prize; the said *Daniel Hathorne* having given Bond, with sufficient Sureties, that Nothing be done by the said *Schooner* or any of the Officers, Mariners or Company thereof contrary to, or inconsistent with the Usages and Customs of Nations, and the Instructions, a Copy of which is herewith delivered to him. And we will and require all our Officers whatsoever to give Succour and Assistance to the said *Daniel Hathorne* in the Premises. This Commission shall continue in Force until the Congress shall issue Orders to the Contrary.

By Order of the Congress,

John Hancock PRESIDENT.

Dated at Watertown the 6th of August 1776

From original in Massachusetts Archives

A PRIVATEERSMAN'S COMMISSION

marque *Mercury*. In 1798 he was captain of the U. S. sloop of war *Merrimac*.

Henry Lunt, a resident of Newburyport, served as lieutenant on the Continental vessels *Ariel* and *Alliance*. He was second lieutenant on *Bon Homme Richard* at the time she captured the *Serapis*.

Cutting Lunt, cousin of Henry Lunt, was a resident of Newburyport and his first service was as captain of marines in the privateer *Independence* in September 1776. On the fifteenth of November, following, he sailed from Newburyport in the brig *Dalton*, and was soon after captured by an English frigate, taken to England and confined in Mill prison. After his release in 1779 he was third lieutenant of the *Bon Homme Richard*, at the time of the capture of the *Serapis*. In October, 1780, William Coffin of Newbury was captain of the privateer *America*, and Cutting Lunt, sailing master. The privateer, with her officers and crew, was lost at sea in 1781.

Patrick Fletcher, a resident of Newburyport, served as officer on several privateers. In 1789 he commanded the U. S. sloop of war *Washington*. He was captain of the U. S. prize frigate *Insurgent*, when she was lost at sea in 1800.

John Manly, a resident of Marblehead, served during the whole war with credit, but not always with good fortune. In 1775 he was commander of the Continental schooner *Lee*. In 1776 he was commodore of Washington's fleet, with the *Hancock* as flag ship. In 1778 he was captain of the privateer *Cumberland*. In 1779 he was commander of the privateer *Jason*, and he ended his services to the country as captain of the Continental frigate *Hague*.

Samuel Tucker, a resident of Marblehead, served as commander of the Continental schooner *Hancock* and the Continental frigate *Boston*.

Jonathan Harraden was born in Gloucester but was a resident of Salem. He served as first lieutenant on the State brigantine *Tyrannicide*. In 1780 he was captain of the letter of marque *General Pickering*. In 1782 he was captain of the letter of marque *Julius Caesar*. He is said to have captured vessels during the war carrying 1000 guns.

Edward Preble, a resident of Falmouth, Maine, in 1779

served as midshipman on the State frigate *Protector.* After the capture of that vessel by the British he was confined on the *Jersey* prison ship. On his release he served as an officer on the State sloop *Winthrop.* In 1790 he was captain of the U. S. frigate *Essex.* In 1803 he rose to be commodore of the fleet sent against the Barbary powers, with the *Constitution* as his flag ship.

John Allen Hallet was a resident of Boston. No other man in the State of Massachusetts probably commanded during the war as many State and private armed vessels. He was captain in turn of the privateer *Sturdy Beggar,* the State sloop *Republic,* the privateer brigantines *Starks* and *America,* the State brigantine *Tyrannicide,* the State brig *Active,* the privateer brig *Phocnix,* the letter-of-marque ship *Tartar,* the privateer ship *Franklin,* and the letter-of-marque brig *Minerva.*

David Porter, a resident of Boston, served as a midshipman on one of the Massachusetts navy vessels in the Penobscot Expedition. In 1796, while in command of a vessel, a British press gang tried to board his ship, but were beaten off after a sharp conflict in which men were killed and wounded on both sides. In recognition of the affair, Washington appointed him sailing master in the U. S. Navy. He was the father of Commodore Porter.

Israel Thorndike was a resident of Beverly. He was captain of the privateer *Warren* in 1776; first lieutenant of the State brigantine *Tryrannicide* in 1777; commanded the privateer schooner *Scorpion* in 1777; was captain of the letter-of-marque ship *Resource* in 1780. Later he became one of the merchant princes of Massachusetts.

Joseph Robinson, a resident of Salem, was master's mate on the State brigantine *Massachusetts* in 1777; master on the same vessel the same year; captain of the privateer brigantine *Pluto* in 1777; captain of the privateer brigantine *Franklin* in 1779; captain of the privateer ship *Pilgrim* in 1780.

John Cathcart, a resident of Salem, was first lieutenant of the State brigantine *Tyrannicide* in 1779; captain of the same vessel, the same year; captain of the privateer ship *Essex* in 1780; captain of the letter-of-marque ship *Tartar* in 1782.

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CHAPTER III

PROVISIONAL GOVERNMENT OF MASSACHUSETTS

By Abner L. Braley
President of the Old Bridgwater Historical Society

Holdover Government (1774)

In June, 1774, the causes of discontent in Massachusetts came to a head. The acrid disputes between the royal governors and representative body over the payment of official salaries and over the meeting place of the General Court, combined with the popular irritation which had been slowly rising since the attempt to enforce the Stamp Act, had been answered by the home government in a series of measures intended to give to the Crown and its immediate representative a tighter rein on the affairs of government, as Lord North said, "to take the executive power from the democratic part of the Government."

Under this British legislation, the colonial Council would be, after August, 1774, appointed by the Crown; the Governor was empowered to appoint and remove Judges, Sheriffs, and other officials without the consent of the Council; while town-meetings, except those for the annual selection of local officials, were not to be held without the written authorization of the Governor. The juries which, Lord Germain said in the House of Lords, "require great regulation", were to be empanelled from qualified persons, summoned by the sheriffs, instead of being selected by the people. Which of these causes of discontent was the most efficient in producing the final explosion, it would be idle to inquire. It is significant to note, however, that John Adams in a letter to the Abbé de Malby, included in his *Defence of the Constitutions of the Government of the United States of America,*

said: "It was here, in this extent of townships . . . . that the sentiments of the people were first formed, and that their resolutions were taken, from the beginning until the end of the disputes and the war."

The Provincial Congresses (1774–1775)

The meeting of the last General Court of the Province to convene on the call of a Royal Governor at Salem, June 17, 1774, has been described in a chapter in the second volume of this work. The last act of the colonial Assembly was to pass resolves providing for the appointment of delegates to a General Congress of all the Colonies.

The Provincial Congress which met at Concord covers the period of accomplished revolution. In its three sessions it assumed the government outside of Boston, where Gage and his army with their supporters lay beleagured. Chronologically the record is brief. The first Congress, "established" at Salem October 7, 1774, met once at Concord and twice at Cambridge, and was dissolved December 10, 1774. The Second Congress met at Cambridge February 1, 1775, twice at Concord, and, finally, at Watertown, where it dissolved May 29, 1775. The Third Provincial Congress met at Watertown, May 31, 1775 and dissolved there, July 19, 1775.

Distinctly revolutionary as these bodies were, they spoke the sentiment of the people and, in Hutchinson's opinion, "formed a legislative body." James Warren pointed out the constitutional issue in 1774 when, writing to the committee of Norwich he said: "Mr. Gage may issue his precepts and his council may sanctify them . . . . but what will this avail unless the *people* will acquiesce in them?"

That these successive Congresses were a real government is shown by their success in reaching the "pocket nerve." Henry Gardner was chosen Receiver-General to receive the moneys due the provincial government, the Congress having previously warned "the several constables and collectors of taxes" who had the money due in their hands not to pay Harrison Gray, the Treasurer under the royal government. In an address to Gage, though they acted under the form of "the Colony of Massachusetts Bay," appears the statement that His Excellency must be "sensible that the sole end of

government is the protection and security of the people."

This series of assemblages, though composed in the main of earnest and patriotic men, usually acted through the medium of a committee composed of the leaders of the revolt, amongst whom was Joseph Hawley, the author of *Broken Hints*. At the third session of the first Congress, the Committee of Safety was organised, in which the executive power was lodged to a great extent. Retaining, as they alleged, "Confidence in the wisdom, justice and goodness of our sovereign," they bent every effort to thwart the will of the royal ruler in his effort to make them more amenable to his government in England.

In order that no sudden act of Gage might put it out of the power of the members to reassemble, a committee, consisting of members from towns in the immediate vicinity of Boston, received authority, if deemed desirable, to assemble the Congress at another place than that appointed, and earlier than the day set for their convening. The knowledge of the popular hesitancy toward violent measures, which must at once sever the ties between England and the Province, led to a "constant, and a sort of negative resistance of government." Nothing was conceded, but the attitude was sedulously maintained that a well-advised sovereign must necessarily act in what was conceived to be a constitutional manner. "In a constitutional connection with the Mother Country, we shall be altogether a free and happy people."

Foundation of the Revolutionary Government (1774 – 1775)

The Provincial Congresses derived their strength and in effect their existence from the towns. They in turn expressed community sentiment in County Conventions, whose proceedings are in part preserved and were published by the Commonwealth in 1838. In each town Committees of Correspondence and of Safety kept careful watch for doubters and active Tories, and brought to naught the plans of malcontents like Brigadier Ruggles and Daniel Leonard. Over all these bodies the impelling sense of danger, perhaps as much as the warnings and appeals of the leaders, kept the majority firm in obedience to the recommendations of both

the colonial Provincial Congress and the Continental Congress in Philadelphia.

Although the unrest sure to arise upon any great change in governmental forms and during hostilities presented obstacles to any efficient administration of affairs, yet, thanks to the ability and zeal of the leaders, seconded by the clergy, this provisional government was administered wisely and well. Thomas Cushing, John Adams, Samuel Adams, John Hancock, Joseph and James Warren, Joseph Hawley, and until his treason Benjamin Church, were able to cope with Gage and his advisors.

Appeal to the Continental Congress (1775 – 1776)

The Provincial Congress was throughout regarded as a temporary organization. Even during the summer preceding the Salem dissolution, numerous suggestions had been made that the Charter of 1691 should form the basis for a new constitution. The disintegration of government consequent upon the Revolution made necessary an intermediate stage, during which the Provincial Congresses operated from October, 1774 to July, 1775. That the Provincial Congress thrice dissolved and as many times reassembled after new local elections, shows its makeshift character.

This absence of strong government for over nine months was dictated by expediency, for it gave the townsmen and farmers an opportunity to elaborate their philosophical theories and to air their discontents. As early as October 27, 1774, an attempt was made by the First Provincial Congress to revive the Charter of 1691, by appealing to the members of the Mandamus Council whom Gage had not negatived, to attend the Congress.

Not until after Concord and Lexington and the subsequent raising of an army did the need for an efficient government make itself felt. May 12, 1775, the Second Provincial Congress authorized a committee to report "an application to the Continental Congress for obtaining their recommendation for this colony to take up and exercise civil government as soon as may be:" The committee was moreover instructed to stress the urgent need of the colonists. May 16, Joseph

Warren, later killed at Breeds Hill, with Dr. Church (who within two years was to betray his country), Elbridge Gerry, and three others reported in favor of the immediate dispatch to Congress of a memorial stating the situation of the Colony.

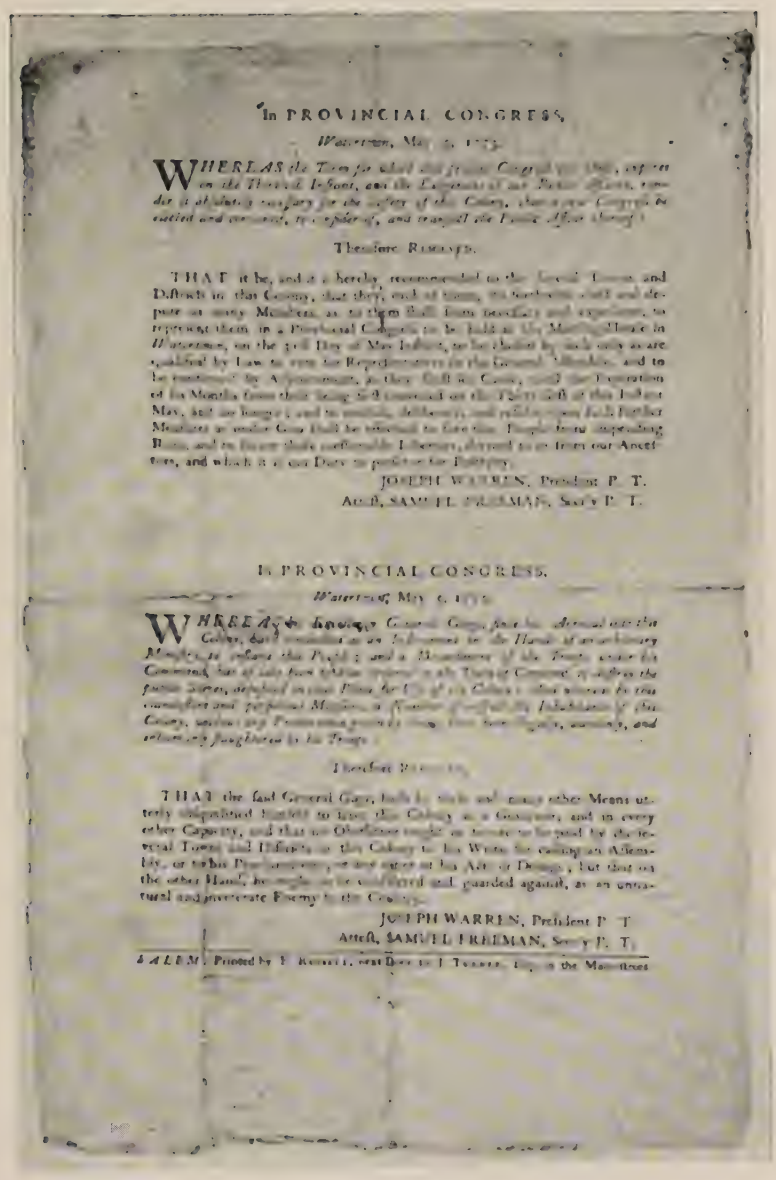
Early in June, 1775 the formal request reached the Continental Congress and was referred to a committee. June 9, Congress resolved that Massachusetts was in the right in refusing to obey the parliamentary statute abridging the Charter of 1691. Congress also endorsed the position of the colonists in their relations with the absent Governor and Lieutenant Governor, whose offices were declared to be vacant. The non-existence of a legal Council was recognized; but the Provincial Congress was advised to request the towns to elect representatives to the Assembly, which in turn should select the upper house. The Assembly and Council were to "exercise the powers of government until a governor of his majesty's appointment should consent to govern the colony according to its charter."

Organization of a Legislature (1775)

Upon the arrival of Dr. Church with the instructions of the Continental Congress, the Provincial Congress sent letters to the boards of selectmen of the various towns, enclosing the resolve and requesting the election of representatives to convene at Watertown on July 19, 1775. The suffrage in the election was restricted to forty-shilling freeholders and owners of estates of the value of forty pounds. The selectmen of the towns were to make a "return" over their own signatures, and the term of the representatives elect was to expire on the last Wednesday of May, 1776.

The Third Provincial Congress continued to sit until July 19, 1775, when the Congress was "accordingly dissolved . . . . on a motion made and seconded" and "passed in the affirmative."

The same day, the General Court resumed its position as the representative organ of the Commonwealth. The first day's session was occupied exclusively in the choice of James Warren as Speaker.



In PROVINCIAL CONGRESS,

Watertown, May [illegible], 1775.

WHEREAS the Town [illegible] and the Exercise of our Power [illegible], render it absolutely necessary for the safety of the Colony, that a new Congress be called and convened, to consider of, and transact the Public Affairs thereof:

Therefore RESOLVED,

THAT it be, and it is hereby recommended to the several Towns and Districts in this Colony, that they, each of them, immediately call and depute as many Members as to them shall seem necessary and expedient, to represent them in a Provincial Congress to be held at the Meeting-House in *Watertown*, on the 31st Day of May Instant, or so much sooner as can be established by Law to elect the Representatives in the General Assembly, and to be constituted by Adjournment, as they shall see Cause, until the Expiration of Six Months from the said 31st Day of May, and no longer; and to authorize, direct, and empower such further Measures as may be found necessary for preserving Peace, and to secure their unalienable Liberties, derived to us from our Ancestors, and which it is our Duty to posterity to preserve inviolate.

JOSEPH WARREN, President P. T.

Attest, SAMUEL FREEMAN, Secry P. T.

In PROVINCIAL CONGRESS.

Watertown, May [illegible], 1775.

WHEREAS [illegible] General Court, for the Administration of the Colony, have [illegible] to the Humble Petition of sundry Members, to relieve the People; and a Resolution of the Town of [illegible] Committee, but as [illegible] Town of Committee [illegible] the public affairs, declined serving; For the Safety of the Colony, that measures be [illegible] and perpetual Members, a Number sufficient for the Inhabitants of the County, and [illegible] Representatives [illegible], and duly, and [illegible] to the People:

Therefore Resolved,

THAT the said General Court, both by [illegible] and every other Means utterly dissolved [illegible] to have the Colony as a Government, and in every other Capacity, and that no Obedience ought [illegible] to be paid by the several Towns and Districts in this Colony to [illegible] Assembly, or to this Province, or any other of his Acts or Doings, but that on the other Hand, he ought to be considered and guarded against, as an unnatural and inveterate Enemy to the Country.

JOSEPH WARREN, President P. T.

Attest, SAMUEL FREEMAN, Secry P. T.

SALEM: Printed by [illegible], near Door to [illegible], by the Messengers

From an original Courtesy of Massachusetts Historical Society

RESOLVES AGAINST GENERAL GAGE AS THEIR GOVERNOR

Organization of a Council (1775)

Two days later the House proceeded to the choice of 28 Councillors. The election was conducted in the usual manner; but as there had been no previous Council the newly elected representatives constituted the sole electoral body. Until the new Council could meet and organize, no further business could be accomplished. The House on July 24th, before the Council had convened, authorized the payment of a sum of money by the Receiver-General. This is probably the only instance in the history of the "resumed" Charter that the House acted without the consent of the Council.

July 26, 1775 the Council met for the first time. Its organization was unusually difficult. The royal Governor had presided during the provincial period, but in his absence the senior Councillor was wont to convene the body. This custom was probably tacitly followed from July 26 to August 1. With the choice of a secretary the Council had even more difficulty. It was finally decided that, since the royal official was not present, a secretary should be appointed *pro tempore* and Perez Morton was selected.

The Massachusetts delegates at the Continental Congress concerned themselves with the new provincial government. John Adams had written to James Warren urging the appointment of Samuel Adams as secretary of the Commonwealth. "Has not our friend deserved it? Is he not fit for it? Has any other candidate so much merit or so good qualifications?" In the meantime Warren, the Speaker of the Assembly, informing Samuel Adams of the establishment of the new government, had said, "The Council met but yesterday. They choose a secretary this day. I presume you will be the man." No Hancockian anti-Adams faction had yet risen, and on August 10, Samuel Adams was duly chosen secretary of the Colony.

Organization of the Executive (1775–1776)

The establishment of an executive presented a most serious problem to the General Court. Although the Continental Congress advised that the Governor and Lieutenant Governor be declared absent, it suggested only a vague provision for

the exercise of their functions: "The assembly and council should exercise the powers of government." Did this mean that the Council and the House should jointly execute their own acts? A letter of Warren to John Adams reveals the feeling of the General Court. "A question was started and warmly contested whether our constitution consisted of two or three branches and was determined in favor of the latter rather from a supposition that it was your design than from the express words of your resolves."

Under the Charter of 1691, the executive power of the Colony was conferred upon the Council whenever the Governor and Lieutenant Governor were absent. Accordingly the House resolved to consider the Council or a majority of its members as Governor of the Province. Besides its usual executive duties, the Council was often given extensive administrative powers. On December 10, 1776, after the occupation of Rhode Island by the British army and fleet, the Assembly resolved that "the whole power of the General Court, be during the Recess of the Court devolved on the Council of this State, so far forth as are necessary for the purpose of protecting and defending this State from such descent and depredations, and any seven shall be considered as a quorum."

In ordinary recesses, however, the Council was privileged to summon the General Court to meet at a time earlier than that to which it stood adjourned; it also might appoint officers in the army and militia, treat with the Indians and pay certain amounts.

The situation from 1775 to 1779 required the Council as the executive to remain continually in session. As the upper house of the legislature it adjourned along with the House, but as Governor of the Colony, a quorum of its members directed the affairs of state. When times were unusually quiet, a committee of the Council alone remained at the seat of government.

Question of a New Constitution (1776–1778)

The anomalous position of the Council must have strained to the utmost the patience of the revolutionary leaders. The Charter of 1691, originally designed for a royal province,

was not easily adaptable to the needs of an independent state. A hydra-headed executive in the person of an upper house is, at least, awkward. Even at the inception of the provisional government, Warren, just elected Speaker of the House, wrote to Samuel Adams: "I could almost wish we were again reduced to a congress till we had a constitution worth contending for." As time went on, dissatisfaction with the resumed Charter and the General Court increased. April 3, 1776, John Adams wrote from Philadelphia, "If there had been half the energy in those governments that there was two years ago, Howe would now have been in another world or the most miserable man in this."

The "resumed" Charter government soon showed its inefficiency. Men desired a government strong but popular. Among the first acts of the General Court definitely considering the formation of a constitution was the resolve of September 19, 1776, asking the towns to empower their representatives to act as a constituent body. Only the opposition of Boston and Worcester prevented the Assembly from assuming the responsibility of revising the Charter of 1691.

The objections which these two important towns raised to the resolve of September nineteenth show the marked local and personal feeling then active. Boston thought that the forming of a constitution was so vital to the welfare of all, that "every individual ought to be consulting, acting and assisting." This statement of the rights of the individual in regard to his government gave sanction to the theory that any change in the form of government must be submitted to the people for their approval in town meetings.

Boston and Worcester were not alone in their refusal to give the General Court power to act as a constituent body. Rowley resolved that any constitution should be published for "perusal"; while Salem voted that all changes in the government should be ratified by the towns. Norton voiced the then current opinion that the end of government is the good of the people, and from this premise concluded that the power to form and establish a constitution must rest with the people.

Without the support of its leading towns, the General Court might have tried to alter the Charter of 1691; but the inexpediency of such an act suggested itself, and the formation

of a new code of government was eventually left to a specifically authorized body.

Appointments of Military Officers (1775)

It was fortunate that the most obvious defects of the resumed Charter led to but one grave situation in the period 1775-1779. Under the royal Charter, the Governors had appointed all the commissioned officers of the militia. The Provincial Congress contented itself with the appointment of the general officers only; while the choice of regimental and company leaders was left to the local authorities. Upon the "resumption" of the Charter of 1691, arose the question of use as to which procedure should be followed. The General Court with its inheritance of the points of view of the provincial government, and representative of a strong local feeling, desired that the popular branch appoint the principal officers only; while the Council, acting as the executive, believed it had the right, according to the Charter, to appoint all officers.

The contest between the two branches did not begin until the second session. Previously, the Council had made the appointments and the House had not seriously objected, but toward the end of September, 1775, the lower branch appointed a committee to bring in a bill regulating the militia. By the first of November the representatives authorized a committee to confer with the Council on military appointments. The Councillors immediately appealed to the Colony's representatives at Philadelphia, urging that the July act of the Continental Congress directing the provincial assemblies to appoint all officers, did not repeal the previous recommendation as to the resumption of the Charter of 1691, in which the governors were authorized to appoint all militia officers.

The Massachusetts delegation would not submit such a question showing internal discord to the Continental Congress. The two Adamses thought that the second resolve of the Congress had repealed the first and advised the Council to abandon its position; while Cushing and Hancock, differing as usual from the Adamses, thought the position of the Council justified, but recommended the expediency of submission. The whole matter was settled when the General Court passed

the militia bill in which either branch could appoint the officers from the captain to general with the negation of the other branch admitted.

Appointment of Civil Officers (1775 – 1779)

The friction between the House and Council disgusted some prominent men of the colony and weakened the strength of the Charter government. James Warren thought it curious that a "Council of this Province" should be "contending for the dirty part of the constitution, the prerogative of the Governor," and lamented the conduct of the council because "it had weakened that Confidence and Reverence necessary to give a well disposed Government its full operation and effect." Warren also attributed the wretched condition of the Massachusetts militia at the end of 1775 to the "dispute between the two houses under the resumed charter."

Between 1775 and 1779, the Treasurer, Receiver-General, and Commissary-General were appointed without difficulty by the joint ballot of the Council and the House. Until 1777, the General Court was undecided as to whether the Council or the House should have the choice of the Attorney-General, but finally it was agreed that this officer should be elected by joint ballot of the two branches. From January, 1778 the General Court chose the subordinate executive officers in the winter session, as had been done under the royal government.

Permanence of the New Government

The resumed Charter, regardless of its inconsistencies and deficiencies, founded a legal government to take the place of an extra-legal Provisional Congress. Among the first acts of the new government was the legalization of the acts of the three Provincial Congresses which had preceded. Theoretically, the provisional government of Massachusetts was so democratic that Samuel Adams could say in November, 1775, that the colonial government "is now more popular than it has been for many years." John Adams even dared to hope that "the Form of Government now adopted and set up in the Colony may be permanent."

While the Provisional Government ostensibly gave Great

Britain an opportunity to affect a reconciliation through the acceptance of the Charter of 1691, it nevertheless showed its independent position by declaring void all commissions granted by the royal governors. The new forms of oaths and commissions after July 19, 1775, emphasize the fact that the provisional government was something more than a continuation of the old royal government. With the act of May 1, 1776, when the title of "Government and People of the Massachusetts Bay" replaced the name of the king in official acts, we have the colony well on the way toward independence. The evolution was in reality completed when the General Court in February, 1777, defined treason in terms of allegiance to the authority which it represented.

The Berkshire Constitutionalists (1774 – 1776)

Berkshire County was the first of the Massachusetts counties to overthrow the royal courts of justice, in August, 1774. When the General Court of the colony wished to restore all the county courts in 1775, Berkshire County, particularly the town of Pittsfield, strongly opposed the reëstablishment. It was not until after the Constitution of 1780 had been put in effect that the judiciary finally returned to the county.

When the Charter government was "resumed," it was expected that many important offices would be given to the members of the Assembly. The Berkshire men, however, objected to what they regarded as a monopoly of the sinecures by the representatives. Under the guidance of Thomas Allen, an influential minister of Pittsfield, this opposition crystallized into a movement against the very existence of government.

After the Declaration of Independence by the Continental Congress, the disaffected of the county quite logically regarded the charter government as null and void, since it was based upon rights granted by an authority which had been deposed. By December, 1775, the leadership of Allen had asserted itself and a petition to the General Court of that month, contains most of the arguments of the constitutionalists. Particularly objection was made to the severity of the debtor laws. They insisted that for many years past

Original by R. Peale

Courtesy of Prof. Joseph Warren

JOHN WARREN

the residents of the county had been ruled with "a rod of iron." They would tolerate under no circumstances the continuance of a government which brought such trouble upon them. If the Charter were set up temporarily, they argued, it might be impossible to change it. The Continental Congress could not have intended the colony to confine itself to the form recommended in the resolve of June 9. Even if it did, under what code was Massachusetts obligated to carry out such a recommendation? Then follows a prayer which portends a Jeffersonian or Jacksonian democracy. Not only should the people of the Colony elect the governor and lieutenant governor, but they should also choose their county judges, justices, and inferior military officers. If a formal constitution was not to be adopted, the county wished to be left in the condition in which it had been since August, 1774.

Such a drastic program might have been unattainable and absurd. How could people in revolution afford to dissipate their energy by concern for governmental reforms? Yet Allen and his followers held Pittsfield, and so the county, to their views until the Constitution of 1780 went into effect. Antagonism to the extent of separation from the rest of the Colony was not, however, universal. Stockbridge, Great Barrington, and Sheffield, in Southern Berkshire, favored compromise with the General Court; Lee, in the center of the County, took a middle stand between the opinions of Pittsfield and these three towns.

Throughout 1776 the disaffection of Berkshire mounted rapidly. In a sermon to the wavering inhabitants of Richmond, Allen characterized the assembly and council as "oppressive, defective, and rotten to the very core." A letter of a Berkshire man to the *Massachusetts Spy* gives some reasons for the attitude to the "resumed" Charter: "They, I mean the Tories, are everywhere crying out for a new government to make men pay their debts. That was one objection we had to the old government and yet those unfeeling Tories would fain bring us into the same state again. Strange that men of commen sense do not understand the nature of liberty better."

Continuance of the Disaffection (1777 – 1778)

In the meantime, many Berkshire Tories and men of property appealed to the General Court to protect them from the county officials. Finally the Charter government tried to remedy conditions, and on February 1, 1777, ordered the judges of the Court of Sessions to hold court at the regular times in the county. Four-fifths of the inhabitants voted against acceptance of the courts, until the people of the state had formed and ratified a constitution. Even secession was threatened, if the establishment of a new government was too long delayed. "There are other states which have constitutions which will, we doubt not, as bad as we are gladly receive us."

After Burgoyne's capture at Saratoga, the agitation against the Tories increased. The county authorities having convicted several loyalists sent them to Boston for detention upon the State guard ship. The Board of War, mindful of judicial conditions in western Massachusetts, ordered the men released. Upon hearing of the action of the State authorities, the Berkshirites persecuted the remaining Tories so vigorously that by the end of 1778 hardly a friend of the King remained within the county.

To add to the general dislike of Berkshire towards the State government, the Constitution of 1778 was rejected by the people of Massachusetts. For the next two years, the people of the county were practically in open rebellion against the authority of the State. In October of 1778, the General Court appointed a committee to attempt an adjustment with the county authorities. When this committee recommended compromise in its report, the General Court, in the following year enacted a law pardoning Berkshire County for everything it had done in the preceding five years, and providing for the resitting of the Superior Court at Pittsfield.

For three years Hampshire County had stood with Berkshire in opposition to the Charter Government, but, late in 1777, had admitted a court which, theoretically, sat for both counties. In practice, the force of public opinion in Berkshire negatived its value so far as this county was concerned.

Threats of Resistance (1779 – 1780)

When in May, 1778, the Superior Court was about to sit in Pittsfield, in accordance with the statute of that year, three hundred grim Constitutionalists gathered before the court house, and prevented the judges from holding a session.

It was six months before the General Court was fully awake to the impossibility of court sittings in Berkshire. Not until December 29, 1779, was the Superior Court for the county discontinued. Throughout the whole period the State government showed itself remarkably tolerant of Berkshire's movement, through its disinclination to employ force in the subjection of the Constitutionalists. This inaction is as much attributable to the impotency as to the breadth of view of the General Court. If the state had decided to employ force in the reëstablishment of its authority, it is quite evident that Berkshire would have resisted and blood would have been shed. During 1779 the strength of the Charter government was undoubtedly weakened by the Berkshire movement, and its effect is particularly seen in the vacillating policy of that year.

The Constitutionalist movement in Berkshire County began under the royal government and the Provincial Congresses. It was the organization, under a minister, of a poor and independent people against an official aristocracy exercising extreme powers. After the Charter "resumption" in July of 1775, the opposition developed into a refusal to admit the civil authority of the charter government in general, and the authority of the courts in particular.

Hancock and the Adamses (1775 – 1780)

After Lexington, the patriot party, which had formerly contended with the more conservative partisans of the King, found itself without political opposition. A popular party had been intermittently active ever since the agitation for the Charter of 1691, and had used every opportunity to limit the power of royal Governors. By the time of the passage of the Land Bank Act of 1740, the lines between democrat and conservative seem to have been clearly cut. The struggle against the Writs of Assistance transformed

the popular into the patriotic party. The triumph of the Whigs over the loyalists in 1775 is primarily attributable to their thorough organization. Whereas the loyalists did nothing except to write a few newspaper articles and some pamphlets concerning the Colonial position, the patriots developed a political machinery whose effectiveness has seldom been attained. The Committees of Correspondence, ramifying throughout the Province, solidified and disciplined a party whose policies aided the founding of a new government.

By arms victory had been assured in Massachusetts, but not until March 17, 1776, did the leaders of the Tories acknowledge their powerless position, when they departed from Boston with the British. Eastern Massachusetts was now freed from an army whose continued presence might have occasioned disaffection among the more conservative patriots. The only British force to pass through the state after 1776 consisted of the captured remnants of Burgoyne's army. In western Massachusetts, the Berkshire Constitutionalists took matters into their own hands and by 1778 had freed their county of a serious Tory threat.

Control of the new government naturally fell to the prominent patriots. When the rupture with Gage took place in 1774, Samuel Adams led his party. His lieutenants were Hawley of Northampton, James Bowdoin, John Adams, James Warren, John Hancock, and Thomas Cushing. Of these men, Joseph Hawley was, perhaps, the ablest; but, for reasons yet unknown, he retired from public service in 1776. Joseph Warren fell at Bunker Hill. James Bowdoin during the whole period from 1776 to 1780 was in poor health, while John Adams was in the Continental Congress, regarded at home as a sort of oracle standing between personal and sectional parties.

The unopposed revolutionary party now began to decompose into the various elements that had formed it. At the Continental Congress the Adamses with Gerry in 1775 supported George Washington for general in chief of the united armies for the sake of intercolonial unity. John Hancock, the rival candidate, never forgave the Adamses for what he regarded as a breach of loyalty. Together with Cushing, he

labored continuously to secure for himself the popularity which Samuel Adams then held in Massachusetts.

While the leaders of the patriot party were bickering at Philadelphia, friction grew up within the state government. The General Court quarrelled with the Council over military appointments. The Representatives' bill of 1776 providing for electoral reform stirred up discontent in the remote country towns. In the meantime arose such vital questions as the relationship of Berkshire County to the rest of the State; but leaders like John Adams and James Sullivan opposed settlement of the more serious disputes for fear the disaffection which would assuredly follow any attempt at decision on the constitution of the state.

The various threads of discontent soon wound themselves about a revolutionary leader. In the autumn of 1777, John Hancock, fresh from the presidency of the Continental Congress, returned to Massachusetts. Hancock had been enlisted in the colonial cause by Samuel Adams, who saw that his large fortune would add respectability to the patriot party; but it was not long before he fell out with the Adams group. He used to full advantage the natural respect of the people for one of the few patriots of the old ruling class. He increased his prestige, by huge sacrifices of his tremendous wealth. When proscribed with Adams by the British colonial government he risked the loss of life and property if the revolution should fail. Later, when paper money was fast depreciating in 1778, he called on his debtors and asked to be paid in fiat currency, although the currency then stood at about a ratio of four to one in terms of gold.

Upon his return to Massachusetts, Hancock used all his influence to displace James Warren, a close friend of the Adamses. So popular was Hancock, that Warren was not elected as representative to the General Court from his native town, Salem. In his stead, John Pickering, a well known Hancockonian, was chosen Speaker of the House. Warren attributed his defeat to the gathering of all the discontented and Tories about the ex-president of the Continental Congress. In a letter to Samuel Adams on Pickering's election, Warren uses harsh phrases, which reveal the extent of the factional spirit of the time.—"Envy and ambition of some people have aided them and the policy—or rather what you call the cun-

ning of a party here who have set up an idol whom they are determined to worship with or without reason. . . . In short the plan is to sacrifice you and me to the shrine of the idol."

The victory of the Hancock party marked the beginning of an eclipse of the influence of Samuel Adams. This change of popular feeling is partly due to the retrogression of the former head of the patriot party, for, after 1775, Samuel Adams's influence steadily waned till it rose again after the Revolution. His presence in the Continental Congress added nothing to his reputation; while his absence from the state gave to other leaders the control of his party. Hancock's political position rapidly bettered, however, and lasted, with fluctuations, until his death in 1793. In 1779, Hancock was himself chosen Speaker of the House.

The importance attached to the Speakership by the leaders of the revolutionary period is due to the peculiar status of the provisional government. Since the powers of the royal Governor were shared by twenty-eight Councillors, the dignity of the state seemed to be concentrated in the Speaker of the Assembly. Because of this exaltation of Warren's position under the resumed Charter, his displacement by the Hancockonians in 1778 marks the most significant development in the factional controversies of the period.

Relation of Government to Economic Conditions (1774 – 1775)

When the repressive acts closed the Port of Boston in 1774, the transitional era in the economic history of Massachusetts began. After experiencing the evils of inflation, currency, profiteering, and food scarcity, the state did not succeed in adjusting itself to the new conditions until the close of the Revolution.

Just as the business activity of Boston had been disastrously affected by the closure act of 1774, so the commerce of the rest of the Colony was for the time ruined by the enforcement of the Association adopted by the First Continental Congress. After recommendations from the Provincial Congress, the towns rigidly carried out the non-import and non-export programs. To such an extent had public opinion

destroyed foreign trade in Massachusetts Bay, that for eighteen months there were practically no complaints of violation of the Association agreement. James Warren could write to John Adams in November, 1775: "The non-exportation is sacredly observed, and I believe has never been violated in a single instance, and such is the spirit here that it cannot be violated with any degree of safety."

The Provincial Congresses also began to build up an economic self-defence. Manufactures were encouraged and particularly those that contributed to military supply. During the first two years of the war, the assemblies continually urged the manufacture of saltpetre, and even cannon balls. A saltpetre factory was established at Newburyport in 1775, operating under a price guarantee by the Provincial Congress. Not only were manufactures fostered, but improvements in agriculture and economic problems were also stressed in order to make the Colony as self-sufficient as possible.

Through the cooperation of the sheriffs and constables the Provincial Congresses took over the control of the state finances. In November 1774 a Receiver-General was appointed. No serious need for money was felt until the second Provincial Congress; but, after Lexington and Concord, funds were urgently demanded. Accordingly in May, 1775, the Receiver-General was empowered to borrow 100,000 pounds payable on June 1, 1777. With this loan the Provincial Congress enacted that all the other colonies should give currency to such securities. Herein we find established a bad precedent which led to a huge inflation of the currency, because Massachusetts had to honor the depreciating paper of the other colonies in addition to her own.

The people did not readily purchase these "Liberty Bonds" of 1775, and the Provincial Congress was compelled to resort to the expedient of issuing paper money in the middle of May, 1775. Only bills of small denominations were at first printed. In July, 1775, as an expression of intercolonial comity, it was resolved that the notes of all other colonies would be accepted in commercial transactions within Massachusetts. The Colony thus embarked on a policy of inflation which was to shackle its prosperity for almost twenty years.

Disturbance of Business (1774 – 1777)

The food question did not become serious in the first years of the war. In October, 1774, Boston suffered somewhat because "the man of war in ye ferry way will not suffer provisions to pass." Again in the last days of the siege of the city by the Continentals, food was almost unobtainable; but the hardships experienced by the townsmen were not so pronounced as they were a few years later. At the end of 1775, Warren wrote from Watertown, "When I consider the great abundance we have of the necessaries and conveniences of life, that we want nothing but salt petre I could wish a total stop was put on all trade."

After the British evacuated Boston, commercial conditions steadily became worse. In 1774, the merchants had been ruined, by the closure of the courts which made it impossible for them to force their debtors to pay. John Adams then reported "A total stagnation of commerce . . . . almost." The departure of the British soldiers took from the merchants a large group of their best customers; but conditions were even more aggravated by the effects of "fresh emissions of the paper coin." From 1774 to 1777 paper money to the extent of 500,000 pounds was issued, along with treasury certificates of an even larger amount, as described in detail in another chapter of this volume. Inasmuch as the state was also flooded with the paper issues of other colonies, no wonder depreciation was felt early in 1776. By the middle of that year the cost of living had doubled over the corresponding period of the year previous.

The acts of the Charter government at this time are pretty hard to understand. Conscious of the great increase in credit and the corresponding depreciation that must occur, the General Court passed a law making bills of credit of states and the United States legal tender. Any person who had the insolence to discount a bill would henceforth be ineligible to all civil and military offices. The General Court refused during 1776 to levy a single pound in taxes. In the preceding year, taxes had contributed but 46,000 pounds, but six times that amount was raised in 1777.

Commercial Effect of Regulation of Business (1778 – 1779)

The financial and economic expedients and experiments of the war period are elsewhere set forth in this volume. The reflex effect of this attempt to create wealth by statute was to discredit the financial status of the infant state government. While prices continued to rise, the farmers prospered, but the merchants of the seaport towns were often driven into bankruptcy. Many former traders became farmers, and Gloucester and Wellfleet witnessed the transfer of capital to agriculture. The whaling and fishing industries were particularly hard hit by the war; in two years Gloucester had lost over sixty fishing boats and eighteen merchantmen, while whaling was at a standstill in Dartmouth and Wellfleet.

With the continual rise in prices, disputes and bickerings between town and country increased; but the food scarcity was in part remedied. The non-import, non-export agreements, so rigidly enforced under the Provincial Congress and during the first years of the Charter government, began to relax. So that in September of 1777 the General Court was compelled to enact an embargo on the exportation of lumber, "Least it should fall into the enemy's hands and furnish them material for winter quarters."

The hardest times during the whole revolutionary period came in 1779, when a real food shortage occurred. The interrelation of the states under a federal system began to be felt. John Adams obtained a resolution of the Continental Congress recommending the grain producing states to permit the exportation of flour from their seacoasts under the direction of the Massachusetts Board of War.

In the middle of March, 1779, Eliot wrote to Belknap; "The miseries of famine are now mixed with ye horrors of war. The poor people in almshouses have been destitute of grain and other necessaries these many days. Many reputable families are almost starving. Good Lord Deliver us."

The scarcity was partly relieved throughout the summer months by the timely capture of some British supplies.

Throughout all this period, the farmers were bitterly attacked and were accused of being "all most as cruel as the enemy."

Besides the series of paper-money ills elsewhere considered, the General Court passed a statute designed to prevent hoarding and forestalling. No person was to buy more "dead meat" or "live cattle" than would be needed for one year. Nevertheless, the Boston Committee of Correspondence reported that it had been almost impossible to purchase a single joint of fresh meat, which obliged a very large proportion of the inhabitants to live on vegetables.

The General Court, realizing that the shortage was not relieved by statutes, then tried a general embargo upon the export of all foodstuffs from the state (September, 1779).

James Warren declared that the control of paper was the most serious problem which the Charter government had to face. The currency was "in a most wretched situation and requires the most capital attention." Taxation, which should have been resorted to earlier for the support of the war, "grows more popular here, and I believe the Assembly will risque a tax of three if not four hundred thousand pounds." In 1779 and the first half of 1780, almost eighteen million paper pounds was voted by the General Court, a real drain upon the resources of the inhabitants of the state.

Social Effects of Business Regulation

The General Court was loath to repeat its unsuccessful experiments with price regulation of 1777, but a strong feeling grew up that the Charter government should do something to remedy the rapidly rising prices. In June, 1779, the merchants of Boston agreed to do their best to prevent a rise in prices and bound themselves not to accept gold or silver in any form. The rest of the state then concerned itself with price regulation and in July, 1779, one hundred and seventy-four delegates, representing one hundred twenty-one towns, convened at Concord and drew up a schedule of prices. In a later session the convention agreed to a horizontal reduction in all prices, but the efforts of these two extralegal bodies ended in absolute failure.

The dynamic economic state resultant from paper currency and heavy taxation had completely ruined many of the old families. On the other hand a small number of men previously in the lower classes had risen to positions of affluence.

Judge Curwen, the loyalist, then in London, describes the conditions of flux existent in 1779. "Those who five years ago were the meaner people are now, by a strange revolution, become almost the only men of power, riches and influence. The Cabots of Beverly who you know, had but five years ago a very moderate share of property are now said to be the most wealthy in New England." When the Charter government was replaced by the Constitution of 1780, conditions were on the mend.

It should never be forgotten, however, that during the period 1775-1779 the very existence of the Massachusetts government was threatened by the effects of its issue of paper money. That the new state survived the economic distress is to be attributed to the innate strength of the people and their continuous sacrifice. Nevertheless, paper money made the whole community neither richer nor poorer. The war consumed property, disturbed business, and cost thousands of precious lives. Yet the land was there, organized communities continued, the ordinary course of life went on. When the crisis of the war was over, the state was in a condition to develop into a progressive, educated, and wealthy community.

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CHAPTER IV

MASSACHUSETTS AND INDEPENDENCY (1629 – 1780)

By John Henry Edmonds
State Archivist of Massachusetts

Colony and Commonwealth

John Winthrop declared in 1637 that "the essential form of a common weale or body politic, such as this, is the consent of a certaine companie of people to cohabite together under one government for their mutual safety and welfare." The earliest uses of the word "commonwealth" in the Colony Records are in the Freeman's Oath (of uncertain date), the Non-Freeman's Oath of April 1, 1634, and the modified Freeman's Oath of May 14, 1634. From that time onward it appears constantly in those Records until March 17, 1682, when it was enacted that "the word 'commonwealth' [in the capital laws] when it imports jurisdico is heereby repealled, and the word 'jurisdiction' is hereby inserted."

Independency in the Bay Colony (1629 – 1647)

Independency can safely be said to have been started on the way when the General Court of the Massachusetts Bay Company, sitting at London, July 28, 1629, "considered certain propositions . . . . to transfer the government of the plantation to those who shall inhabit there," which resulted in the Court's determination of August 29 "that the government and patent should be settled in New England." The transfer of both to New England (whether authorized or otherwise) was in itself revolutionary, and revolutions (though bloodless) were frequent in the Colony till "no taxation without representation" became a common cry.

Violations of the first charter were so frequent that no one (even the King) paid attention to them save in

extreme cases; and shortly after the arrival of the second charter in 1692, a way was found to circumvent its most important clauses, such as calling for the Crown's approval of laws, etc., by passing such legislation as "resolves" which were asserted not to be included in that phrase. As an example of the early drive towards independency, the following incidents are significant: On April 1, 1634, the freemen, through their deputies, demanded sight of the charter and the rights under it; with the result of a modified Freeman's Oath, and the determination that the General Court alone had the right to admit freemen, make laws, elect, appoint and remove civil and military officers, etc.

On February 22, 1633-34, the Lords in Council (through Mr. Craddock) demanded the charter, on account of its many violations, with no other results but the erection of the beacon, the fortification of the waterfront, and the mobilization of the military forces, thus putting into practice the advice of the clergy "to defend our lawful possessions (if we are able) otherwise to avoid or protract."

Not succeeding with Craddock, the Council tried again, this time with Winthrop, on April 4, 1638, and received only a most respectful address from the General Court (based on the latter portion of the clergy's advice) evading the main question.

On March 9, 1647, Pynchon wrote to Winthrop, discussing the question of a free state and ended with "though we had our liberty, we cannot as yet subsist without England."

Independency in the Charter Struggle (1661–1686)

On June 10, 1661, the General Court declared: "This government is privileged, by all fitting means, (yea if need be) by force of armes, to defend themselves by land and sea, against all such person or persons as shall, at any time, attempt or enterprise the destruction, invasion, or detriment, or annoyance of the plantation, or inhabitants therein, besides other priviledges, mentioned in the patent, not herein expressed." etc.

On May 1, 1665, the Royal Commissioners (who had a preliminary skirmish with the General Court in 1664) concluded a discussion of the Charter rights with: " 'Tis possible

that the Charter which you so much idolize may be forfeited until you have cleared yourselves of those many injustices, oppressions, violences, and bloud for which you are complained against, to which complaints you have refused to answer."

On June 16, 1676, Governor Leverett declared "that the lawes made by [his] Majestie and [his] Parliament obligeth [us] in nothing but what consists with the interest of this colony, that the legislative power is and abides in [us] solely to act and make lawes by virtue of [our] charter."

Becoming tired of the Massachusetts policy of avoiding and protracting, the King in Council ordered on June 13, 1683, the issuance of a *quo warranto* and its service on the Governor and Company at Boston by Randolph. Arriving on October 26, he waited seven weeks without receiving an answer, and before his report had reached London "the writ was out." Then a *scire facias* was issued, returnable to the Sheriff of London, which resulted in the Lords of Trade and Plantations declaring on November 8, 1684, "that the Charter of Massachusetts Bay [is] now Vacated."

The Rose Frigate, Captain George, arrived at Boston, May 14, 1686, with Joseph Dudley's commission as President and the exemplification of the judgment against the late Governor and Company, which was presented on May 17 to the General Court, whose members answering said: "their being not the least mention of an assembly in the commission, and therefore wee thinke it highly concerns you to consider whither such a commission is safe, either for you or us." And so ended the Governor and Company of the Massachusetts Bay.

Independency in the Second Charter (1689–1693)

Sir Edmund Andros, the first of the Royal Governors, arrived in Boston on December 20, 1686, and was constantly in trouble with one faction or the other until the news of the landing of William of Orange arrived, about April 1, 1689. Early on the morning, April 18, an armed body of men and boys closed in on the Town House, captured Randolph, Captain George, and all the officials, save Andros and Dudley.

The Council for the Safety of the People and Conservation of Peace met at the Town House, demanded Andros's sur-

render, chose Bradstreet president; and the old government was in power again, taking chances that the contest in Old England would end favorably to them. Andros gave himself up, escaped, and was retaken; the fort and castle surrendered; Dudley was taken and all were sent to England in February, 1689-90.

Independency Under Royal Governors (1693 – 1720)

In the meantime, the politicians of Old and New England had been at work, and, as a result, Sir William Phips (the first Provincial Governor) and Rev. Increase Mather (his sponsor) arrived at Boston on the *Nonsuch,* frigate, May 14, 1692, bringing the Charter of William and Mary.

At first all legislation was by act or order but on March 2, 1692-3, the resolve made its appearance, the Governor and Council innocently desiring Rev. Increase Mather to preach the Election Sermon on May 25; and the drive for independence was on again.

On February 26, 1695-6, the General Court met by adjournment; but owing to the deep snow and intense cold only ten members appeared. February 28 (a quorum being present) the Speaker was chosen and the House proceeded to business. "It being queried" by the Lieutenant Governor Stoughton "whether the non-appearance of the full number of forty representatives on the day appointed to meet by the adjournment did not discontinue the Court (his Honour proposing to call a new Assembly), after debate thereon the Council and House of Representatives, *Resolved,* it in the Negative," and the resolve had come to stay.

Gradually its use of the resolve crept on, it being used to pay salaries, allow re-hearings before justices, appoint committees on incorporation of towns, declare frontier towns, adopt proposals for defense of the frontiers, determine boundaries, grant townships, and finally to incorporate towns, such as Dracut.

Official English Opinion on Independence (1722)

On December 28, 1722, Governor Shute, after six years of bickering with the General Court, fled to England to attend to his private business, but primarily to present his charges

against the Province; and, as a result, the Lords of Trade and Plantation made report to the Lord Justices in 1723 in part as follows:

"The Inhabitants of Massachusetts-Bay, which contains much the greater part of New-England... *are daily endeavouring to rest the small Remains of Power out of the Hands of the Crown, and to become independent of the Mother Kingdom.* The Nature of their Soil and Product are much the same with those of Great Britain: The Inhabitants are numerous, upwards of Ninety Four Thousand. Their Militia consists of Sixteen Regiments of Foot, and Fifteen Troops of Horse, making in the Year 1718, Fifteen Thousand Men. And by a Medium taken from the Naval Officer's Account for three Years, from the 24th of June 1714, to the 24th of June 1717, for the Ports of Boston and Salem only, it appears that the Trade of this Province Annually employs no less than 3493 Sailors, and 492 Ships, making 25406 Tuns. Hence your Excellencies will be apprized of what Importance it is to His Majesty's Service, that so powerful a Colony should be restrained within due Bounds of obedience to the Crown, and be more firmly attached to the Interest of Great Britain than they at present seem to be; which we conceive cannot effectually be done, without the Interposition of the British Legislature, wherein in our humble Opinion, no Time shall be lost."

Prognostications of New England Independence (1728–1754)

This probably inspired that remarkable discussion of the independency of New England in Edmund Halley's "Account of the English Colonies in America," published in his "Atlas Maritimus et Commercialis," London, 1728:

"I cannot close this summary Account of English Trade, and especially its Circulation among themselves in America, without some Remarks, which I would have been larger upon, if I had had room.

"By this absolute Dependance of the English Colonies in America upon one another for the carrying on their Trade, it appears how groundless those Notions are which some People have entertain'd, concerning the Danger of the Colonies

of New England breaking off from the English Yoke, and setting up for an Independency of Government, and a Freedom of Commerce. * * *

"It is impossible that the People of New England, be they as opulent and powerful as can be suggested, can ever break off from their Subjection to and Dependance upon the British Government, without the Consent of Great Britain; because it is impossible they can ever do so without the Destruction of their Commerce, and consequently without the Ruin of the Colony. * * *

"Great Britain will never consent to such a Separation or Independency; . . . [and] upon any such Attempt the Government . . . would immediately forbid all Commerce between them and our Island Colonies: Nay, it is done in the very Nature of the thing; for if New England were set up for an Independency, and so (as necessarily would follow) were broken off from the English Government, the Trade between them and the Islands would be *ipso facto* prohibited by the Act of Navigation, and every Ship coming to any of our Island Colonies would be confiscated, with all its Cargo."

Then follows a discussion as to what New England would do in the matter of trade, which is summed up as follows:

"Without their Conjunction with, and Subjection to England, they could not have a Market for their Produce, and could not consume their Provisions.

"Without a Market for their Produce, they could not raise a Return to pay the Ballance of their Trade to Europe.

"Without paying that Ballance, they could not be supply'd with European Goods.

"Without a Supply of European Goods, their Trade could not be supported.

"And if their Trade is not supported, their Colony would be undone.

"From all which the Inference is natural, That it is ridiculous and groundless Suggestion, that there is any danger of New England's casting off the British Yoke, as they would call it; and it is impossible the Colony can set up an Independency, or break off from its Subjection to Britain, because it cannot do so without being ruin'd and undone."

From now on the signs of independency increase and include Sam Adams's master's thesis of 1743, "Whether it be

lawful to resist the Supreme Magistrate if the Commonwealth cannot be otherwise preserved"; the "Discourse concerning Unlimited Submission and Non-resistance to the Higher Powers", by Jonathan Mayhew at Boston, 1750; and the Speech of Ben Franklin at the Albany Congress of 1754.

Breaking Up of the Colonial Government (1760–1775)

With the arrival of Governor Bernard, indications of actual revolution made their appearance and followed each other in rapid succession, such as the baiting of Bernard from 1760 to 1769; the opposition to the Writs of Assistance in 1761 and 1762; the No Taxation without Representation policy of John and Sam Adams in 1764 and 1765; the Sons of Liberty; the Stamp Act riots and Non-importation Agreement of 1765; the blending of celebration of St. Patrick's Day and the repeal of the Stamp Act, and the Malcolm riot of 1766; the circular letter of Sam Adams and the convention of the Massachusetts towns on the landing of British Troops of 1768; the opposition to Hutchinson from 1769 to 1774; the Massacre riot of 1770; the Committee of Correspondence of 1772; the Tea Party of 1773; the opposition to the Port Bill; the Suffolk Resolves and the Provincial Congresses of 1774 and 1775, which culminated in Lexington, Bunker Hill and the Siege of Boston—then the Revolution was on in earnest.

Shortly after, on July 19, 1775, the Provincial Congress dissolved itself and the General Court came to its own again, but without an executive or a secretary. The Council became the executive and served in a dual capacity as an executive and as a legislative body until the adoption of the Constitution. The General Court declared the secretary absent, his office vacant; chose Perez Morton secretary *pro tempore;* August 10 Sam Adams, secretary of the Colony, swore him in as Secretary of the Province, and he became Secretary of State, automatically, on July 16, 1776, though generally his duties were performed by his deputy, Perez Morton, and later by John Avery, Jr., the leader of the inner circle of the Sons of Liberty.

In the meantime the Continental Congress had been functioning since September 5, 1774, with John Hancock as presi-

dent from May 24, 1775, and the spirit of independence had gradually taken hold of its members.

Approach of Independence (January – May, 1776)

On January 15, 1776, Samuel Adams, in Philadelphia, wrote to John Adams, in Massachusetts:

"A motion was made in Congress the other day, to the following purpose; That whereas we had been charged with aiming at independency, a committee should be appointed to explain to the people at large, the principles and grounds of our opposition, &c. The motion alarmed me. I thought Congress had already been explicit enough, and was apprehensive that we might get ourselves upon dangerous ground. Some of us prevailed so far as to have the matter postponed, but could not prevent the assigning a day to consider it. I may perhaps have been wrong in opposing this motion; and I ought the rather to suspect it, because the majority of your [our] colony, as well as of the Congress, were of a different opinion.

"I had lately some free conversation with an eminent gentleman, whom you well know, and whom your Portia in one of her letters admired, [Franklin] if I recollect right, for his *expressive silence,* about a confederation; a matter which our much valued friend Colonel W[ythe], is very solicitous to have completed. We agreed that it must soon be brought on, and that if all the colonies could not come into it, it had better be done by those of them that inclined to it. I told him that I would endeavor to unite the New England colonies in confederating it, if *none* of the rest would join in it. He approved of it, and said if I succeeded, he would cast in his lot among us."

January 25, 1776 in Continental Congress, John Dickinson, James Wilson, William Hooper, James Duane and Robert Alexander were appointed to prepare an address to the inhabitants of the United Colonies. Hence, February 13, they brought in a draft, which was laid on the table, in which they disavow "carrying on the War 'for the Purpose of establishing an independent Empire'" and "declare, that what we aim at, and what we are entrusted by you to pursue, *is the Defence*

and Re-establishment of the constitutional Rights of the Colonies."

On May 9, the Massachusetts House of Representatives (then sitting at the meeting house in Watertown) "On Motion, *Ordered,* That Mr. Speaker [James Warren], Major [Joseph] Hawley, and Mr. [William] Story, be a Committee to bring in a Resolve recommending the several Towns in the Colony to give Instructions to their Representatives, with respect to INDEPENDENCE." The same day, the Committee appointed to bring in a Resolve, recommending the Towns to instruct their Representatives with Respect to Independency, reported.

"*Resolved,* That it be, and hereby is recommended to each Town in this Colony, who shall send a Member or Members to the next General Assembly, fully to possess him or them with their Sentiments relative to a Declaration of Independency of the United Colonies on Great-Britain, to be made by Congress, and to instruct them what Conduct they would have them observe with Regard to the next General Assembly's instructing the Delegates of this Colony on that Subject. Sent up for Concurrence.

"*Ordered,* That Capt. [Jonathan] Brown get the foregoing Resolve printed in Hand Bills, and sent to the several Towns in this Colony."

Next day (May 10) it was

"*Ordered,* That a Message go [to] the honorable Board to know if they have passed on the Resolve of Yesterday, relating to requesting the Inhabitants of the several Towns to Instruct their Members to be chosen relating to Independency. Samuel Holton, Esq., came down and informed the House that the Board had non-concurred the same;" thereupon,

"*Ordered,* That the Secretary be directed to lay the said Resolve on the Table," which he did accordingly.

A little later on in the day (which was the last of the session) the House found a way to overcome the non-concurrence of the Council and

"*Resolved,* As the Opinion of this House that the Inhabitants of each Town, in this Colony, ought in full Meeting warned for that Purpose, to advise the Person or Persons who shall be chosen to Represent them in the next General

Court, whether that if the honorable Congress should, for the Safety of the said Colonies, declare them Independent of the Kingdom of Great-Britain, they the said Inhabitants will solemnly engage with their Lives and Fortunes to Support the Congress in the Measure.

"*Ordered,* That Mr. [William] Cooper get the foregoing Resolve printed in the several News-Papers as soon as possible." And it was printed in the Boston Gazette, New England Chronicle, etc.

Cooper's Account of the Transaction (May, 1776)

Why do no letters to the General Court, suggesting the action of May 9, exist in the Massachusetts Archives, the House Journal or the Council Records (Legislative or Executive)? The following letter of May 13, written to Samuel Adams by Dr. Samuel Cooper, may explain it:

"I am much oblig'd to you for your Favor 30th Apr. which I receiv'd by the Post the Evening before last, and am glad to find Affairs are in so good a Train in the Southern Colonies; In N. England the Voice is almost universal for Independence . . . Our General Court is dissolved—Before this took place, the House pass'd a Vote to consult their Constituents, whether they would instruct their future Representatives to move the Continental Congress for Independance—I can only assure you of the Substance of the Vote; the Form of it was not clearly related to me. The House sent up this Vote to the Council for their Concurrence—The Propriety of this was doubted by some, who did not think the Council could properly act on such an affair. It was however done, and the Council negativ'd the Vote. Mr. Cushing among others was against it. He said that it would embarass the Congress—that we ought to wait till they mov'd the Question to us—that it would prejudice the other Colonies against us—and that you had wrote to some Body here, that things with you were going on slowly and surely, and any Kind of Eagerness in us upon this Question would do Hurt. Others said that the Congress might not choose to move such a Point to their Constituents tho they might be very glad to know their minds upon it—that it was beginning at the right End for the Constituents to instruct their Delegates at Congress, & not wait

for their asking Instructions from their Constituents—that the Question had been long thought of & agitated thro the Colonies, & it was now high Time to come to some Determination upon it; otherwise our artful Enemies might sew the Seeds of Dissention among us to the great Prejudice if not Ruin of the common Cause. The House, tho they would have been glad of the Concurrence of the Council in this Matter, have determin'd to proceed without them; and Instructions will go from all Parts on this Head; and it seems, by Appearances thro the Continent, you will not be able to defer a great While your Decision on this grand Question—"

Action of the General Court (June 7, 1776)

The General Court, as above mentioned, was dissolved by the Council without any further action and did not reassemble until May 29, 1776, at the meeting house in Watertown. On June 6, inquiry was made of the Members from the several towns, whether they had instructions from their respective towns, with regard to independency. Many of whom informed the House, that their towns were unanimous for the measure. Other towns had not instructed their Representatives.

"*Ordered,* That Col. [John] Cumings, Mr. [Aaron] Wood, and Mr. [Joseph] Dorr, bring in a resolve to notify such towns to forward their sentiments on this subject, without delay."

On June 7, the committee appointed to bring in a resolve, recommending to those towns which have not yet instructed their representatives with regard to independency, to forward their sentiments on that subject, without delay, reported: "Whereas by a resolve of the late House, the 10th of May, 1776, it was resolved, That the inhabitants of each town in this colony ought, in full meeting warned for that purpose, to advise the person or persons who should be chosen to represent them in the next General Court, whether, should the Honorable Congress, for the safety of the said Colonies, declare them independent of the kingdom of Great-Britain, they, the said inhabitants, will solemnly engage, with their lives and fortunes, to support them in the measure. And though said resolve was published in the public news-papers, yet it has since been manifest to the present House, that some towns in

the said colony, were not so seasonably favored with the said prints, as to have it in their power to instruct their Representatives, agreeable to advice in said resolve (had they been so minded) so that the present General Assembly are unable to collect the sentiments of many towns in the said colony, on so interesting and important a subject. And as some towns, who had seasonable notice, have given their Representatives instructions to comply fully with the resolve aforesaid, whose numbers, to the honor of their constituents, are very numerous; and as some of the United Colonies have of late bravely refused to subject themselves to the tyrannical yoke of Great-Britain any longer, by declaring for independence.

"Therefore, *Resolved,* As the opinion of this House, that such towns as have not complied with the resolve aforesaid, whether they are represented or not, duly warn a town-meeting for such purpose, as soon as may be, that their sentiments may be fully known to this House, agreeable to the former resolve of the late House of Representatives; and that one hundred and fifty hand-bills be forthwith printed and sent to such towns for the purpose aforesaid."

Boston on Independence (1776)

Some idea of the sentiment of the inhabitants on the subject can be gathered from the following, passed at their respective town meetings:

Boston:—"At a time when, in all Probability, the whole United Colonies of America are upon the Verge of a glorious Revolution, & when, consequently, the most important Questions that ever were agitated by the Representative Body of this Colony, touching its internal Policy, will demand your Attention; your Constituents think it necessary to instruct you, in several Matters, what Part to act, that the Path of your Duty may be plain before you.

"We have seen the humble Petitions of these Colonies to the King of Great Britain repeatedly rejected with Disdain. For the Prayer of Peace he has tendered the Sword;—for Liberty, Chains;—for Safety, Death! He has licensed the Instruments of his hostile Oppressions to rob us of our Property, to burn our Houses, & to spill our Blood—He has invited every barbarous Nation, whom he could hope to in-

fluence, to assist him in prosecuting those inhumane Purposes, The Prince, therefore, in Support of whose Crown & Dignity, not many years since, we would most chearfully have expended both Life & Fortune, we are now constrained to consider as the worst of Tyrants: Loyalty to him is *now* Treason to our Country:—

"We have seen his venal Parliament so basely prostituted to his Designs, that they have not hesitated to enforce his arbitrary Requisitions with the most sanguinary Laws.—We have seen the People of Great Britain so lost to every Sense of Virtue & Honor, as to pass over the most pathetic & earnest Appeals to their Justice with an unfeeling Indifference.—The Hopes we placed on their Exertions have long since failed.—In short, we are convinced, that it is the fixt & settled Determination of the King, Ministry, & Parliament of that Island to conquer & subjugate the Colonies, & that the People there have no Disposition to oppose them—A Reconcilliation with them appears to us to be as dangerous as it is absurd—A Spirit of Resentment once raised it is not easy to appease: The Recollection of past Injuries will perpetually keep alive the Flame of Jealousy, which will stimulate to new Impositions on the One Side, & consequent Resistance on the other; & the whole Body politic will be constantly subject to civil Fermentations & Commotions.—We therefore think it absolutely impracticable for these Colonies to be ever again subject to, or dependent upon Great Britain, without endangering the very Existence of the State: Placing however, unbounded Confidence in the Supreme Council of the *Congress*, we are determined to wait, most patiently to wait, 'till their Wisdom shall dictate the Necessity of making a Declaration of Independency—Nor should we have ventured to express our Sentiments upon this Subject, but from the Presumption, that the Congress would chuse to feel themselves supported by the People of each Colony, before they should adopt a Resolution so interesting to the whole.—The Inhabitants of this Town, therefore, unanimously instruct & direct you, that, at the Approaching Session of the General Assembly, you use your Endeavors, that the Delegates of this Colony, at the Congress, be advised, that in Case the Congress should think it necessary for the Safety of the United Colonies, to declare themselves independent on Great Britain, the Inhabitants of this Colony, with

their Lives & the Remnant of their Fortunes, will most chearfully support them in the measure."

Action of Other Towns (1776)

Similar action was taken by many of the towns in the Commonwealth. A few examples will reveal the patriotic spirit of the times.

Pittsfield: "You Shall on no Pretence whatever favour a Union with Great Brittain as to our becoming in any Sence Dependant on her everhearafter and use your Influence to persuade the Hon^ble House to Notify the Hon^ble Continental Congress that this whole Provence are waiting for the Important Moment which they in their Great Wisdom Shall appoint for a Declaration of Independence and a free Republic."

Acton: "Our not Being Favored with the Resolution of the Late House of Representatives Calling upon the Several Towns in the Colony to Express their minds, with Respect to the Important Question of American Independence is the Ocation of our not Expressing our mind Sooner but we Cheerfully Imbrace this Oppertunity to Instruct you on that Important Question the Subverting our Constitution the many Injuries and unheard of Barbarities which these Colonies have Received from Great Britain Confirm us in the Opinion that the Present Age will be Deficiant in their Duty to God their Posterity and themselves if they Do not Establish and American Republick, this is the only form of Government we wish to Se Established, but we mean not to Dictate we freely Submit this Intresting affair to the Wisdom of the Hon^ble Continental Congress whom we trust are Guided and Directed in these Important Affairs by the Supreme Governor of the world and we Instruct you to Give them the Strongest Assurances that if they Should Declare America to be a free and Independent Republick your Constituents will Support and Defend the Measure with their Lives and Fortunes."

Palmer: "At a Varey full Meeting of the Inhabitants . . . Legally met at the Publick Meeting house . . . whereas the Court of Great Britain hath by Sundry Acts of Parliament assumed the Power of Legislation for the Colonies in all Cases whatsoever without the Consent of the Inhabitants &

now likewise Exerted the assumed Power for Raising a Revenue in the Colonies without their Consent we Cannot Justly call that our one which others may when they Please take from us against our will Have likewise appointed a New Set of Officers to Superintend These Revenues wholly unknown in the Charter and by their Commissionars Invested with powers alltogether unconstitutional and Destructive to the Security which we have a Right to Enjoye Fleets and Armyes have Bin Introduced to Suport These unconstitutionall Revenues have Altered the Charter of the Collony and thereby overthrown the Constitution Together with many Other Greaveous Acts of Parliament too greaveous to be Born The Peaceable Inhabitants Being Allarmed at Such Repeated In-Rodes on the Constitution and Gigantick Strides to Despotick Power over the Collonies—The Collonies Petition[d] the King for Redress of Grievances finding that to faill Petioned separately Beging as Chilldren to a father to be heard and Relieved. But all to no Purpose the Petitions being Treated with allmost contempt the Unnighted Collonies finding that No redress could be had from Great Britton Unnightedly agreed to an Opposition in the Most feasable way they Could Contrive Being willing to Trye Every Peasseable Measure that Could possably bee Invented Rather than Brake with Greate Britton Greate Britton Being Bent on her favourright Skeem of Enslaveing the Collonies Declared them Rebels and Treated them as Such The Collonies Being Dreven to a State of Dispear from the Least Releafe From them was Obliged by the Laws of Self preservation to Take up Arms in their own Defence and Ment to Use them only as Such But the Dispute has Arose to So Grate a height That it is Impossable for the Collonies Ever to be Joined with Greate Britton again with the Least Secueraty and Safety to them Selves or Postarity. We the Inhabitants of this Town do Belive it Absolutely Nessary for the Safety of the Unnighted Collonies to be Independent from Greate Britton and Declare them Selves Intierly a Separate State as we Can See No Alternative But Inevitable Ruen or Independentansee.

"But as there is a General Congress of Wise and Good Men Who Set at the helm of Affairs Consulting Measures which will be most for the Safety and prosparyty of the Whole and have the means of Intelligence and Information

in Their hands Submit the whole Affair to Their Wise Consideration and Determination and if they Shall Unight in a Separation from Greate Britton we do Unanimously Determine and Declair we will Seport them with our Lives and Fortings.

"We do Dirrect the Representatives of this Town to Laye these Votes Before the honourable General Assembly of this Collony to Annable them to Communicate our Sentiments to the Honourable Continentiall Congress."

MURRAYFIELD: "At a Legal Meeting of the Inhabitants . . . Regularly Assembled, on the Third Article in the Warrant with Regard to Independancy from Great Britain.

"Voted in a Very full Meeting that under the Present Circumstances of the Thirteen United Colloneys, and the Treatment of great Britain towards America we View it Necessary and are Willing to a Man to be Declared an Independent State Whenever the Honourable Continental Congress Shall Judge Best."

WILLIAMSTOWN: "At a Legal Town Meeting . . . the Following Motion was made and put to Vote viz. Wheather Shold the Honourable Congress for the Safety of the Colonies, Declare them Independent, of the Kingdom of Great Britain, the Inhabitants of this Town will Solemnly Engage with their Lives and fortunes, to Support them in the Measure, which was passed in the affirmative, *Nemine contradicente.*"

ASHBY: "The Inhabitants of this Town being Assembled . . . Unanimously Voted as Followeth (viz.)

"That if the Honerable Congress for the Safety of the Colonies should Declare them Independent of Great Britain The Inhabitants of Ashby will Solemnly Engage with their Lives and Fortunes to Suport in the Measure."

WINCHENDON: "Att a Generall Town Meeting . . . in regard to Independency—Being Duly Sensible of the Cruel & oppresive measures Which are pursued by the King & Parliament of Great Britton in order to inslave these Colonies & Consequently the Defuculty that will attend our Being Ever again United With Great Britton Therefore unanimously Resolve That if the Hon^{ble} Continental Congress Should think Best for the Safety of the Colonies to Declare them independant of the Kingdom of Great Britton that We will with our Lives & Fortunis Supourt Them in the Measure."

Preliminaries in the General Court (July – August, 1776)

On July 3, The Massachusetts House of Representatives

"*Ordered,* That Mr. [John] Pitts, Mr. [ ] Watson and Mr. [Samuel] Osgood, be a committee to prepare a letter to the Delegates of this colony, at the Continental Congress, on the subject of independency.

"On motion, it was *Voted, unanimously,* That if the Honorable Continental Congress should think proper to declare the Colonies independent of the kingdom of Great-Britain, this House will approve of the measure."

No further action is found in the Journal, and the General Court was prorogued on July 13 until August 28.

The Declaration of Independence in Congress (June – July, 1776)

In Continental Congress, June 7, Richard Henry Lee of Virginia (pursuant to his instructions in the Virginia Resolutions) presented the following:

"*Resolved,* That these United Colonies are, and of right ought to be, free and independent States, that they are absolved from all allegiance to the British Crown, and that all political connection between them and the State of Great Britain is, and ought to be, totally dissolved.

"That it is expedient forthwith to take the most effectual measures for forming foreign Alliances.

"That a plan for confederation be prepared and transmitted to the respective Colonies for their consideration and approbation."

Consideration was postponed until the 8th, when it was referred to the committee of the whole.

On June 10, the committee of the whole having reported, it was

"*Resolved,* That the consideration of the first *resolution* be postponed to this day, three weeks [July 1], and in the meanwhile, that no time be lost, in case the Congress agree thereto, that a committee be appointed to prepare a declaration to the effect of the said first resolution, which is in these words:

"That these United Colonies are, and of right ought to be,

free and independent states; that they are absolved from all allegiance to the British Crown: and that all political connexion between them and the state of Great Britain is, and ought to be, totally dissolved"; and the committee was discharged.

On June 11, Thomas Jefferson, John Adams, Benjamin Franklin, Roger Sherman and Robert R. Livingston were chosen a committee to prepare the Declaration, which they brought in on June 28, written in the hand of Jefferson, with occasional changes by Adams and Franklin; and it was duly "*Ordered,* To lie on the table."

From now on the first *resolution* of June 7, and the *declaration* reported June 28 were considered separately and referred to in the Journals as *"resolution"* and *"declaration."*

Action of Congress (July 1 – July 4, 1776)

On July 1, Congress resolved itself into a committee of the whole to consider the *resolution respecting independency* and the *declaration.* After a nine-hour debate Benjamin Harrison for the committee reported to Congress that they had agreed to the *resolution,* and said *"resolution* . . . being read, the determination thereof was postponed, at the request of a colony, [i. e., South Carolina] till tomorrow."

On July 2, "Congress resumed the consideration of the *resolution* agreed to by and reported from the committee of the whole; and the same being read, was agreed to as follows:"

"*Resolved,* That these United Colonies are, and, of right, ought to be, Free and Independent States; that they are absolved from all allegiance to the British crown, and that all political connexion between them, and the state of Great Britain, is, and ought to be, totally dissolved."

Again Congress resolved itself into a committee of the whole, took up the declaration, and after some time Benjamin Harrison for the committee reported they "had under consideration the *declaration* to them referred; but not having had time to go through the same, desired leave to sit again," which was granted and the consideration was continued through July 3.

On July 4, after some further consideration, Benjamin Har-

In Congress July 4. 1776

Resolved That Copies of the Declarations be sent to the several Assemblies, Conventions & Councils of Safety, and to the several Commanding Officers of the Continental Troops, that it be proclaimed in each of the United States, and at the head of the Army.

That General Washington be empowered & he shall Judge it Advisable, to order three of the Battalions Raising in Massachusetts Bay to be immediately Marched to Ticonderoga and that an equal Number of the Militia of that State be Taken into Pay, & Embodied for the Defence of the Government of Massachusetts Bay Judge it necessary

By order of Congress
John Hancock Presidt.

From original in Massachusetts Archives

PROCLAMATION OF THE DECLARATION OF INDEPENDENCE

rison for the committee of the whole reported to Congress (again in session) "that the committee . . . have agreed to a *Declaration,*" which he delivered in, and being read again, it was agreed to unanimously by all of the delegates, save those of New York, who had no power to act.

Publicity of the Declaration (July 4 – July 6, 1776)

It was further "*Ordered,* That the declaration be authenticated and printed.

"That the committee appointed to prepare the declaration, superintend and correct the press.

"That copies of the declaration be sent to the several assemblies, conventions and committees, or councils of safety, and to the several commanding officers of the continental troops; that it be proclaimed in each of the United States, and at the head of the army."

On July 19, it was "*Resolved,* That the Declaration *passed on the 4th,* be fairly engrossed on parchment, with the title and stile of 'The unanimous declaration of the thirteen United States of America,' and that the same, when engrossed, be signed by every member of Congress," and on August 2, "being engrossed and compared at the table, was signed [by the members]."

Pursuant to the order of July 4th, the Declaration was printed officially by John Dunlap of Philadelphia, July 5 and 6, and reprinted (for the first time in any newspaper) in the *Pennsylvania Evening Post* of July 6. John Hancock, as president, sent copies of this broadside on July 6 to General Washington, to the "Hon[oura]ble Assembly of Massachusetts Bay," and to the other Colonies, enclosed in letters reading as follows:

"Philad[a] July 6[th] 1776.

"Honble Gentlemen,

Altho it is not possible to foresee the Consequences of Human Actions, yet it is nevertheless a Duty we owe ourselves and Posterity in all our public Counsels, to decide in the best Manner we are able, and to trust the Events to that Being, who controuls both Causes and Events, so as to bring about his own Determinations.

Impressed with this Sentiment, & at the same Time fully

convinced, that our Affairs may take a more favourable Turn, the Congress have judged it necessary to dissolve all Connection between Great Britain and the American Colonies, and to declare them free and independent States; as you will perceive by the enclosed Declaration, which I am directed by Congress to transmit to you, and to request you will have it proclaimed in your Colony in the Way you shall think most proper.

The important Consequences to the American States from this Declaration of Independence, considered as the Ground and Foundation of a future Government, will naturally suggest the Propriety of proclaiming it in such Manner, that the People may be universally informed of it.

I have the Honour to be

with great Respect,
Gentlemen,
Your most obed^{t} &
very hble Ser.
John Hancock, Presid^{t}

Honble Assembly of Massachusetts Bay."

Transmission of the Declaration to the Massachusetts Colony (July 4 – July 11, 1776)

General Washington caused the Declaration to be proclaimed before all the army under his command at New York on July 10, and on the 11th reported the same to John Hancock and that he had transmitted a copy to General Ward at Boston, requesting him to have it proclaimed to the Continental troops in that department, but he said nothing about the copy he had sent to the General Court of Massachusetts, enclosed in the following letter:

"New York July the 9th 1776

Gent^{m}

You will perceive by the Inclosed Declaration, which I have the honor to Transmit to you, that Congress of late have been employed in deliberating on matters of the utmost Importance. Impelled by necessity and a repetition of Injuries unsufferable, without the most distant prospect of releif, they have asserted the claims of the American Colonies to the rights of Humanity and declared them Free and Independent States.

Judging from a variety of circumstances that the British Arms are meant to be directed this Campaign against the State of New York to effect Its reduction, they have empowered me to order the three fullest Regiments of their Troops in the Massachusetts bay to reinforce our Northern Army, as you will see by a Copy of their resolve which I have Inclosed. I have accordingly by the advice of my General Officers, requested General Ward to detach them with all possible expedition to Join that Army, and prevent the fatal and alarming consequences that would result from the Enemies passing the Lakes and making an Impression on our Frontiers. I am almost morally certain that no Attempts will be made on the Massachusetts bay, and If there should they must prove abortive and ineffectual, the Militia Independent of other Troops being more than competent to all the purposes of defensive War. However shoud It be deemed expedient by your Hon^{ble} body, Congress have authorized you to embody and take into pay a number of Militia equal to the Regiments to be detached.

I have the honor to be
with great respect
Gent^{m}
Y^{r} Most Obed^{t} & H^{ble} Serv^{t}
G^{o} Washington

Hon^{ble} G^{l} Court of Massachusetts bay."

The express which left Philadelphia, Saturday, July 6, arrived at New York, Tuesday, July 9; Hartford, Thursday, July 11; Worcester, Sunday, July 14; Boston, Monday, July 15; and Exeter, July 16, having gone thirty miles out of its way to Portsmouth; and the Declaration was received everywhere with much jubilation.

The Declaration in the State of Massachusetts (July, 1776)

The Massachusetts House of Representatives having been prorogued on July 13 (Saturday), the Council (in executive session) on July 15 (Monday) took this action:

"On Motion *Ordered*, that John Winthrop, William Phillips & Francis Dana Esq^{rs} be a Committee to take into Consideration

what Way manner & form the Declaration of y^e^ Hon^ble^ Continental Congress should be made Publick."

It is interesting to note that on the very next day the word "State" was introduced in an order relating to innoculating hospitals and that on July 17 the words "State House" and "State Street" appear in the report given below, although the town did not change the name of the street officially until July 4, 1788.

On July 17, "The Committee to whom was reffer'd, to take under Consideration what way manner & form, the Declaration of the Continental Congress shou'd be made Publick—Report that the said Declaration be proclaim'd by the Sherrif of the County of Suffolk, from the Balcony of the *State House* in Boston, on Thursday Next at One OClock P M—in Presence of & under Direction of a Committee of Council to be appoint^d^ for that purpose, that the Representatives, Magistrates, Ministers & Selectmen of the said Town, & Other Gentlemen, the Commission Officers of the Contin^ti^ Army, stationed in Boston, Also of the Militia of Boston & of the Colonial Regiments there, be desired to meet at y^e^ Council Chamber at that time, and that the Militia of the Town of Boston, & such of the Contint^l^ Army, and of the Colonial Regiments as can be spared from Duty, be drawn Up in, *State Street* at y^e^ same time—And that the s^d^ Declaration be printed & a Coppy sent to the Ministers of every Parish, of every Denomination within this State, and that they severally be required to read the same to their respective Congregations, as soon as divine Service is Concluded in the Afternoon, of the first Lords Day, after they shall have receiv'd it, and after such Publication thereof to deliver the said Declaration to the Clerks of their respective Towns or Districts, who are hereby required to record the same in Their respective Town or District Books, there to remain as a perpetual Memorial thereof.—That the Committee of Council who shall be Appointed for the Abovementioned Purpose, be Impower'd to direct the Other proceedings relative to said Proclamation, in such manner as they shall Judge proper—By Order of y^e^ Council, Richard Derby Jun^r^ Presid^t^.

"On Motion *Ordered* that James Bowdoin, Artemas Ward, Richard Derby, Thomas Cushing, John Winthrop, Moses Gill, Will^m^ Phillips, Benj^a^ Austin & Francis Dana Esq^rs^ be a Com-

mittee to Repair to Boston, to direct the Manner relative to the Proclaiming the Declaration of Congress.

"On Motion *Ordered* that Dan Hopkins, Esq., be directed to Print the Declaration of the Continental Congress, at Salem & bring them to Watertown."

On July 18, "On Motion *Ordered* that y^e^ declaration be Publickly read by the Secretary [John Avery, Jr., Deputy Secretary] in y^e^ Council Chamber [at Watertown] and that the Representatives of this and the other Towns who are present, be invited to attend the said Publication."

On August 5, "*Ordered,* that the Secretary be directed to write to the Sheriff of y^e^ County of Suffolk to Acquaint him that the Printed Declaration of Independency, were on this Table—and y^e^ Board expected he wou'd take proper care that they be distributed thro' this State as soon as may be—That every Town may have them publickly read, in each religious Assembly." This was attended to by the Deputy Secretary, in a letter to Sheriff [William] Greenleaf of even date.

Publication of the Declaration in Massachusetts

The broadsides so distributed bear the imprint, "Salem, Massachusetts-Bay: Printed by E. Russell, by Order of Authority." The copy at the Massachusetts Historical Society is endorsed: "On August 11th, 1776, after the Conclusion of Divine Service, I read this Declaration, conformable to the Order of the Council of State; and spake in Favour of a Compliance with the Continental Declaration. As witnesseth my Hand, Samuel Mather."

On Monday, July 15, General Ward received the copy of the Declaration sent him by General Washington. On the 16th, he gave "America" as parole, "Independence" as countersign, and on Wednesday, July 15, had it read at the head of the regiments. A curious coincidence is that it was published in the *American Gazette* of Salem on July 16 (the first newspaper publication in Massachusetts) and in the *Massachusetts Spy* of Worcester on July 17. On July 18 it was published in the *Continental Journal* and the *New England*

Chronicle (both printed at Boston) and on July 22 in the *Boston Gazette* (the administration organ, printed by Benjamin Edes in Watertown).

The Proclamation at Boston (July 18, 1776)

According to the *Boston Gazette* of July 22:

"Thursday last [July 18], pursuant to the Orders of the honorable Council, was proclaimed, from the Balcony of the State House in Boston, the DECLARATION of the AMERICAN CONGRESS, absolving the United Colonies from their Allegiance to the British Crown, and declaring them FREE and INDEPENDENT STATES. There were present on the Occasion, in the Council-Chamber, the Committee of Council, a Number of the honorable House of Representatives, the Magistrates, Ministers, Selectmen, and other Gentlemen of Boston and the neighbouring Towns; also the Commission Officers of the Continental Regiments stationed in Boston, and other Officers. Two of those Regiments were under Arms in Kingstreet, formed into three Lines on the North Side of the Street, and in thirteen Divisions; and a Detachment from the Massachusetts Regiment of Artillery, with two Pieces of Cannon was on their Right Wing. At One o'Clock the Declaration was proclaimed by the Sheriff of the County of Suffolk, which was received with great Joy, expressed by three Huzzas from a great Concourse of People assembled on the Occasion. After which, on a Signal given, Thirteen Pieces of Cannon were fired at the Fort on Fort-Hill, the Forts at Dorchester Neck, the Castle, Nantasket, and Point Alderton, likewise discharged their Cannon: Then the Detachment of Artillery fired their Cannon thirteen Times, which was followed by the two Regiments giving their Fire from the thirteen Divisions in Succession. These Firings corresponded to the Number of the American States United. The Ceremony was closed with a proper Collation to the Gentlemen in the Council Chamber; during which the following Toasts were given by the President of the Council, and heartily pledged by the Company viz.

"Prosperity and Perpetuity to the United States of America.

"The American Congress.

"The General Court of the State of Massachusetts Bay.

"General WASHINGTON, and Success to the Arms of the United States.

"The downfall of Tyrants and Tyranny.

"The universal Prevalence of Civil and Religious Liberty.

"The Friends of the United States in all Quarters of the Globe.

"The Bells of the Town were rung on the Occasion; and undissembled Festivity cheer'd and brighten'd every Face.

"On the same Day a Number of the Members of the Council (who were prevented attending the Ceremony at Boston, on account of the Small Pox being there) together, with those of the Hon. House of Representatives who were in Town [Watertown], and a Number of other Gentlemen assembled at the Council Chamber in this Town, where the said Declaration was also Proclaimed by the Secretary [Deputy Secretary Avery] from one of the Windows; after which, the Gentlemen present partook of a decent Collation prepared on the Occasion, and drank a Number of constitutional Toasts, and then retired.

"We hear that on Thursday last every King's Arms in Boston, and every Sign with any Resemblance of it whether Lion & Crown, Pestle and Mortar & Crown, Heart & Crown, &c. together with every Sign that belonged to a Tory, was taken down, and made a general Conflagration of in King Street."

Other Accounts of the Proclamation (July 18, 1776)

Some difference of opinion exists as to the actual reading at Boston. The *Boston Gazette* of July 22, printed at Watertown, says that on

"Thursday last [July 18], pursuant to the Orders of the honorable Council, was proclaimed, from the Balcony of the State House in Boston, the DECLARATION OF THE AMERICAN CONGRESS . . . . at One o'Clock . . . . by the Sheriff of the County of Suffolk, [i. e., William Greenleaf] which was received with great Joy, expressed by three Huzzas from a great Concourse of People assembled on the Occasion."

The *Continental Journal* of July 25, printed in Boston,

follows the *Gazette* closely, giving "the Sheriff of the County of Suffolk" as the reader.

The *New England Chronicle* of July 25, printed in Boston, follows the *Gazette* closely, save that Colonel Thomas Crafts is given as the reader.

The *Massachusetts Spy* of July 31, printed in Worcester, follows the *New England Chronicle,* giving Colonel Thomas Crafts as the reader.

A British officer (prisoner of war) who was present in the Council Chamber tells in the *United Service Journal:*

"Exactly as the clock struck one, Colonel Crafts, who occupied the chair, rose and read aloud the Declaration. This being finished, the gentlemen stood up, and each, repeating the words as they were spoken by an officer, swore to uphold the rights of the country. Meanwhile the town clerk [William Cooper] read from a balcony the Declaration to the crowd."

Who Read the Proclamation (July 18, 1776)

Mrs. Abigail Adams, in a letter July 21, says to her husband:

"Last Thursday, after hearing a very good sermon, I went with the multitude into King Street to hear the Proclamation for Independence read and proclaimed. . . . The troops under arms and all the inhabitants assembled there (the small-pox preventing many thousands from the country) when Colonel Crafts read from the balcony of the State House the proclamation. Great attention was given to every word. As soon as he ended, the cry from the balcony was 'God save our American States' and then three cheers which rent the air."

The practise in Massachusetts during the eighteenth century was for the secretary to read proclamations in the council chamber or from the balcony and for the sheriff of the County of Suffolk to repeat them from the balcony or the street.

The Secretary, Samuel Adams, was in Philadelphia; the Deputy Secretary, John Avery, Jr., (commonly referred to in the records of the Council and House of Representatives as the Secretary) was reading the Declaration from the window of the meeting house in Watertown. The Order of

the Council on July 17 directed that it should "be proclaim'd by the Sherrif of the County of Suffolk, from the Balcony of the State House in Boston, on Thursday Next at One O Clock P. M. in Presence of & under Direction of a Committee of Council to be appoint[d] for that purpose, ..." consisting of "James Bowdoin, Artemas Ward, Richard Derby, Thomas Cushing, John Winthrop, Moses Gill, Will[m] Phillips, Benj[a] Austin & Francis Dana, Esq[rs]" and at least Bowdoin, Ward, Winthrop, Phillips, and Dana were present.

Family tradition has it that because Sheriff Greenleaf was not of imposing personality and had a weak voice, his place was taken by Colonel Crafts. The most plausible explanation is that either James Bowdoin, President of the Council and Chairman of its Committee, or Sheriff Greenleaf read it before the Committee and assembled guests in the Council Chamber (as the Secretary would have done) and Colonel Crafts read it from the Balcony as the *New England Chronicle,* the *Massachusetts Spy* and Mistress Abigail Adams agree. The British officer, only a short time in Boston, could easily have mixed his characters as James Bowdoin would have occupied the Chair instead of Colonel Crafts.

Satisfaction of the State Government (August–September, 1776)

On August 29, the Massachusetts House of Representatives (having assembled again on the 28th at Watertown) received a message from the Council, reading in part as follows:

"The important period has at length arrived! The Honorable Congress have declared the United American Colonies, *Free and Independent States.* This declaration we have ordered to be made public, agreeable to the request of Congress, through *every* part of *Massachusetts-Bay;* and we shall readily concur with you, in expressing our approbation of the measure, and readiness to *risque our lives* and *fortunes* in defence and support of it."

On September 4, the House, after various postponements, made answer to the Council: "The House of Representatives have given all due attention to the message from your Honors, of the 28th ultimo, and are desirous of expressing, with a

manly fortitude, their entire satisfaction in the *Declaration of Independence,* made by the Honorable Congress, and published, by your Honours order, in this State. They, with great chearfulness, congratulate your Honours on the very general approbation that measure has met with, through all ranks of people, in this and the other United States of America; and are ready to pledge their fortunes, lives and sacred honour, to support it."

The Authenticated Declaration (January, 1777)

On January 19, 1777, the Continental Congress (then sitting at Baltimore) "*Ordered,* That an authenticated copy of the Declaration of Independency, with the names of the members of Congress subscribing the same, be sent to each of the United States, and that they be desired to have the same put upon record."

This Declaration, with the names of the signers, bears the imprint, "Baltimore, in Maryland: Printed by Mary Katherine Goddard." It is of interest to note that this broadside, authenticated in autograph, "Attest Cha^{s} Thomson Sec^{ry} A True Copy John Hancock Presid^{t}", was printed by a woman.

On January 31 the following letter, with the authenticated declaration, was sent by John Hancock to the "Hon^{ble} Assembly of the State of Massachusetts Bay":

"(Circular) Baltimore Jan^{y} 31^{t} 1777.

Gentlemen,

As there is not a more distinguished Event in the History of America, than the Declaration of her Independence—nor any, that, in all Probability will so much excite the Attention of future [ages] it is highly proper, that the Memory of that Transaction, together with the Causes that gave Rise to it, should be preserved in the most careful Manner that can be devised.

"I am therefore commanded by Congress to transmit you the enclosed Copy of the Act of Independence, with the List of the several Members of Congress subscribed thereto—and to request, that you will cause the same to be put upon Record, that it may henceforth form a Part of the Archives of your State, and remain a lasting Testimony of your Approbation of that necessary & important Measure.

"I have the Honour to be,
Gentlemen,
your most obed. &
very hble Servt.
John Hancock Presidt

I hope the publick
dispatches of 28 & 30th
Decr were safely deliver'd
the Express is return'd, but
bro't no Letter—
Honble Assembly of the State
of Massachusetts Bay."

On its receipt the following action was taken:
"In Council March 6, 1777

"Read & thereupon *Resolved*—That the Secretary be and he hereby is directed to put upon Record the Declaration of Independence referred to in the foregoing Letter—that it may henceforth form a Part of the Archives of this State—

Sent down for Concurrence
Jno. Avery Dpy Secy
In the House of Represents. March 7 1777
Read and Concurred
Saml Freeman Speakr Pt

Consented to—Jer: Powell, A Ward, B Greenleaf, W Spooner, J Winthrop, T Cushing, S Holten, Jabez Fisher, Moses Gill, B White, John Whetcomb, Wm. Phillips, Benj Austin, E Thayer jr, D Hopkins"

The Declaration was recorded by Deputy Secretary Avery and filed on March 6 in the Secretary's office, where the original may be found today as "part of the Archives of this State."

Proposed State Constitution (1776–1778)

On September 17, 1776, (pursuant to a resolve of the Continental Congress of May 10) the House of Representatives requested permission of the towns to join in convention with the Council to frame a constitution which they would submit to the towns for inspection and perusal before ratification.

Most of the towns that answered (a minority) were willing, on condition that it be ratified by the inhabitants.

The Committee, considering the towns' opinions, recommended a convention of delegates, chosen by the people, but the General Court persisted in its original plan and, obtaining the consent of a majority of the towns, resolved itself into a constitutional convention on June 17, 1777, delegated its powers to a committee, whose report, with amendments, etc., was accepted on February 28, 1778, and submitted it to the people, who defeated it by a vote of 9,972 to 2,083, principally brought about by Theophilus Parsons and his *Essex Result.*

The Constitutional Convention (1779–1780)

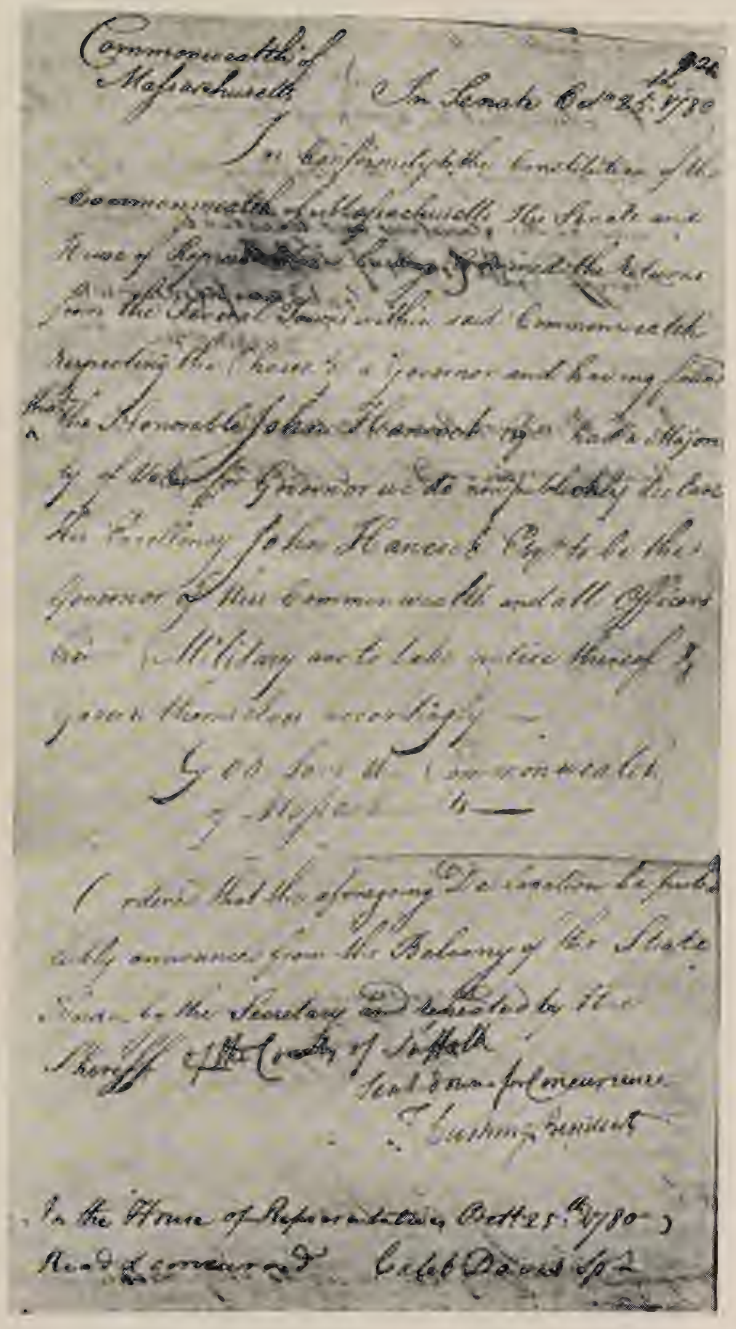
The General Court again took up the matter in the spring of 1779, but this time asked for permission to call a constitutional convention of delegates chosen by the people, and received the same by vote of 6,612 to 2,639.

This Convention (of 312 members) sat from September 1, 1779, until June 16, 1780, during the darkest period of the Revolution, when the State and Nation were on the verge of bankruptcy and depreciation in Massachusetts was 70 to 1. As usual the Convention delegated its powers to a committee, who, in turn, delegated its powers to a sub-committee consisting of the Adamses and James Bowdoin, and as a result John Adams's draft of the Constitution (with a few additions) was ready for the Convention on October 28, 1779, and after considerable debate was submitted (in printed form) to the people on March 2, 1780, for ratification.

About 16,000 out of 363,000 inhabitants voted on the matter and the Convention canvassed the returns and declared that every article of the Constitution as printed had been ratified.

The Commonwealth of Massachusetts (1780)

Pursuant to said Constitution, an election was held, and on October 25, 1780, "the first day of General Election under the new Constitution," the "Committee of both Houses appointed to examine the Returns from the several Towns within this State of their Choice of a Governour [reported]



Commonwealth of Massachusetts

In Senate Oct 25 1780

In Conformity to the Constitution of the Commonwealth of Massachusetts, the Senate and House of Representatives having Joined the Returns from the several Towns within said Commonwealth respecting the Choice of a Governor and having found that the Honorable John Hancock Esq was Duly Elected by a Majority of Votes for Governor we do accordingly declare the said Honorable John Hancock Esq to be the Governor of the Commonwealth and all Officers are to Obey and be Subject to him as their Governor accordingly —

God save the Commonwealth of Massachusetts —

Ordered that the aforegoing Declaration be published immediately from the Balcony of the State House by the Secretary and repeated by the Sheriff of the County of Suffolk and that the Same be recorded

Sent Down for Concurrence

Thomas President

In the House of Representatives Octr 25th 1780

Read & Concurred Caleb Davis Spr

From original in Massachusetts Archives

PROCLAMATION OF JOHN HANCOCK AS GOVERNOR
The First use of "God Save the Commonwealth of Massachusetts"

that his Excellency John Hancock, Esq[r] is chosen Governour of the Commonwealth of Mass[tts] by a Majority of all the Votes returned and that he is therefore hereby declared Gov[r] elect accordingly."

Hon. John Hancock, Esq., having accepted the office and being present in the Council Chamber, duly took the oaths and subscribed to them before Hon. Thomas Cushing, Esq., President of the Senate, after which the secretary and the sheriff of Suffolk proclaimed the same from the balcony of the State House, as follows:

"In Conformity with the Constitution of the Commonwealth of Massachusetts The Senate and House of Representatives having Examined the returns from the Several Towns within said Commonwealth respecting the Choice of Governor and having found that the Honorable John Hancock Esq[r] had a Majority of Votes for Governor we do now publickly declare His Excellency John Hancock Esq[r] to be the Governor of this Commonwealth and all Officers Civil & Military are to take notice thereof & Govern themselves accordingly—

God Save the Commonwealth of Massachusetts—"

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CHAPTER V

MASSACHUSETTS IN THE CONTINENTAL FORCES (1776 – 1783)

By Louis C. Hatch
Formerly State Historian of Maine

Protection of Boston (1775 – 1776)

When the British abandoned Boston, on March 17, 1776, Massachusetts rightly felt that a great victory had been won; but what was to prevent the enemy's return in force? On April 4, 1776, Washington, having sent most of the Continental Army before him, set out for New York, where it was believed that the enemy would soon appear. He left for the defense of Boston four weak Massachusetts regiments; Phinney's, Whitcomb's, Sergeant's and Hutchinson's. A fifth, Glover's, was stationed at Beverley to protect ships which might take refuge in the harbor. The command in Massachusetts was entrusted to General Ward, who soon found himself a general without an army, for in July Washington, acting under special authority from Congress, ordered all five regiments to New York.

Meanwhile Massachusetts had made some efforts to protect herself, but at first progress was slow. The evacuation of Boston had thrown the people of the neighborhood into a sort of happy daze; sectional feeling also delayed action. Washington wrote expressing anxiety about the slow progress of the fortifications; Ward ordered officers and men to turn out and his orders were cheerfully obeyed. The citizens also put their shoulders to the wheel. On May 9, Mrs. Adams wrote: "Fort Hill, the Castle, Dorchester Points, Noddle's Island are almost completed. . . . Six hundred inhabitants of the town, meet every morning in the town house, from whence they march with fife and drum, with Mr. Gordon, Mr. Skilman and Mr. Lothrop [prominent

clergymen] at their head, to the Long Wharf, where they embark for the island; and it comes to the subscribers turn to work for two days in a week." By June 8, so much had been accomplished that Ward gave his men a Sunday off from physical labor; but as befitted a "church warden," as Charles Lee called him, he directed their officers to lead them without arms or music to places of worship.

State Troops (1775)

The legislature provided not only forts but a permanent garrison. Before the departure of the Continental troops it ordered the raising of a little State army of two regiments of infantry and a regiment of artillery and artificers called the "train." When their periods of about a year's service had nearly expired, orders were issued for the continuance of the regiments for three years. On February 26, 1779, the train, which then contained an excessive proportion of officers, was reduced from seven to three companies and pnt under the command of its lieutenant-colonel, Paul Revere. In April, 1780, the battalion was reduced to a single company.

In July, 1777, two more State infantry regiments were ordered raised for service in Rhode Island or any other New England state. Many companies of coast guards were also enlisted for the defense of the Massachusetts seashore. As the State had no governor until 1780, the legislature acted as commander in chief, though its powers were delegated at different times: to the Council when the legislature was not in session; to a board of war; to a Massachusetts major-general of militia, Benjamin Lincoln of Hingham; and to General Ward.

The British at Rhode Island (1776–1777)

The State regiments filled slowly even when danger came near to Massachusetts. Early in December, 1776, a British fleet and army appeared off Newport and occupied the city, and the island of Rhode Island. There was great alarm in Massachusetts. In January, 1777, James Warren wrote to Elbridge Gerry that it was the general belief that there would be an invasion of Massachusetts in the spring. Such in fact had been Howe's first plan. A British garrison remained

in Newport for four years and an American historian has declared that they were no more helpful to the royal cause than if they had occupied the moon. This is an exaggeration. The British fleet and troops at Newport constituted a force in being which compelled Massachusetts to keep a considerable body of militia on duty and caused an anxiety which sometimes rose to panic. When in August, 1777, there was a rumor that the fleet at Newport had sailed to attack Boston, Mrs. John Adams wrote to her husband that there had not been such terror since the recapture of Boston by the American army.

Various plans for capturing or expelling the British at Newport were discussed, and in 1777 a long-projected "secret expedition" (whose object everybody knew) was at last got under way. Militia from Massachusetts and Connecticut joined militia of Rhode Island on the shores of Narragansett Bay; and did nothing. In May, 1778, the British made two raids on the Fall River district and burned some houses and vessels but did no serious harm.

Expedition Against Rhode Island (1778)

In the summer came good hope of destroying what John Adams called the "nest of hornets on Rhode Island." France made alliance with the United States and sent over a powerful fleet under Count D'Estaing who proceeded to Rhode Island with his whole fleet which was capable, if necessary, of landing a strong force for land operations. Washington contributed Glover's brigade with its amphibious Marbleheaders, a detachment of light infantry commanded by Colonel Henry Jackson of Massachusetts and a Connecticut brigade under General Varnum. Washington also sent two capable generals, Greene and Lafayette, to command the wings of the army. The general-in-chief was General Sullivan of New Hampshire, the Continental commander in Rhode Island.

Rhode Island, Connecticut and Massachusetts forces were combined. Massachusetts furnished three thousand militia. Volunteer companies from Boston, Salem, Beverly, Gloucester, Newburyport, and some Maine towns, joined the army, as also the Boston Independents, a company composed of some of the most fashionable youth of Boston. The disciples of

Themis exchanged the gown for the sword. James Sullivan, a justice of the highest Massachusetts Court, served as aide to his brother, the general. Young Rufus King, later United States senator and a leader of the Federalist party, entered the military family of General Glover. The Honorable John Hancock, Esq., senior major general of the Massachusetts militia, was appointed, it is said at his own request and by a divided Council, commander of the state forces at Rhode Island.

Alongside undoubted zeal, manifestations were not wanting of the New England legalism and homesickness. Governor Greene of Rhode Island complained that the State of Massachusetts had not furnished its share of troops. President Ward for the Council replied that "this State has ever been ready, and ever will be, to do everything in its power, Consistent with reason, for the benefit of the United States or any sister State, but for any State to expect that this State must bare the whole burden or at least the greater part of it and when they have Exerted Every Nerve to be thus stigmatized with neglect of Duty is hard and in our opinion what it does not become any State to Charge us with."

Operations in Rhode Island (1777–1778)

In spite of delays and difficulties the combined expedition came near to success. The British abandoned a fortified position at Butts Hill on the north of the island; the Americans followed and began a siege. The French fleet took position on each side of the island and D'Estaing landed four thousand men. Then an English fleet under Lord Howe appeared. When the French admiral went out to meet him, a storm separated them and damaged both fleets. D'Estaing returned to Providence, but in accordance with his instructions and the opinion of a council of war took his fleet to Boston to refit, in spite of the earnest remonstrance of the American generals. This greatly discouraged the army and many of the volunteers and militia left for home. An attack on General Glover's brigade was repulsed.

A little later the main battle began, in the west of the island. The enemy attacked with great fury but the Americans met them with equal courage and after a hard

contest they were repulsed. Lovell's brigade of Massachusetts militia executed an attack on the British right which gained them much honor and won for General Lovell the Greek gift of the command of the army in the Penobscot expedition of the following year.

The French in Boston (1778 – 1780)

The battle was fought without the counsel and inspiration of Major-General Hancock. It may have been as well. Hancock's qualifications as a general were slight, but as a delightful and magnificent host few could equal him. His elaborate dinners to D'Estaing and his officers did much to improve the relations between the French and the Americans, which had been severely strained by the count's withdrawal from Rhode Island.

Meanwhile the British fleet was heavily reinforced. But D'Estaing on reaching Boston had immediately landed men, thrown up additional works and mounted on them cannon from the fleet; and Lord Howe wisely permitted him to repair his crippled ships in peace. The only attack was another British raid from Rhode Island northward into Massachusetts, when the enemy burned a part of the villages of Bedford and Fairhaven. For the two following years both parties in New England remained quiet. Then, late in 1780, Sir Henry Clinton, the British commander at New York, withdrew the troops from Newport.

Massachusetts attempted to induce Congress to make Boston harbor an impregnable refuge for French fleets and American merchantmen, but the Congress had no money for purposes so far removed from the great object of defeating the British in the middle states.

Naval Warfare in Maine (1775)

Massachusetts was obliged not only to protect her coast and interior but to defend the "Eastern district" or "Eastern counties" now forming the state of Maine. Two of the chief events of the war in this section, the capture of the *Margaretta* and the attack on the British at Majabigwaduce (Castine), are described in the chapters dealing with naval warfare. When the war broke out in 1775, a British sloop,

the *Canceaux,* commanded by Captain Mowatt, was lying at Falmouth, now Portland. A body of armed men from neighboring towns seized Mowatt. He was released over night on parole, which he broke. A boat belonging to the *Canceaux* had been seized. Mowatt in vain demanded its return and the expulsion of the "cowardly mob from the country."

On October 16, 1775, Mowatt again appeared, with a small squadron and sent a letter on shore stating that he was ordered to inflict a just punishment on Falmouth for ingratitude and rebellion, and allowing the inhabitants two hours to remove the "human specie" from the town. The people refused to surrender their arms; and next day Mowatt bombarded Falmouth for nine hours and sent marines ashore to use the torch. About two-thirds of the town including most of the best buildings was destroyed. The severity of the British greatly shocked both Washington and Franklin, a feeling shared by the friends of America in England.

Maine was not only an outpost to be defended, but a base for attack on British territory. In 1775 Benedict Arnold made his famous march through the wilderness of Maine to Point Levis opposite Quebec. The little army was chiefly or wholly made up of volunteers, probably about a third of the soldiers were Massachusetts men.

The second attack on the British by the way of Maine was an ill-judged and disastrous invasion of Nova Scotia by a handful of men led by a refugee, Colonel Eddy. Some settlers from New England living in the province joined them, but troops from Halifax broke up their camp and destroyed a great part of their stores. Eddy was compelled to abandon Nova Scotia entirely. Many of those who joined him were obliged to flee from their country, leaving their families in great distress.

A second attempt under another refugee, Colonel John Allen, also failed. The British sent an expedition against Machias, which was repulsed, thanks to the courage of the inhabitants and of a number of friendly Indians. The whole country east of the Penobscot was subjected to harassing visits by British vessels of war, particularly after the British occupation of the Castine peninsula in 1779. Communication with Boston was almost cut off, and an illicit trade with Nova

Scotia sprang up. Many were ready to accept neutrality or even to submit to the enemy.

The British also made repeated efforts to win over the St. John and Passamaquoddy Indians, but Colonel Allen, though greatly hampered by lack of troops, of money and of supplies, and by the misconduct of traders, succeeded in keeping them faithful to the Americans.

Massachusetts in Long Island (1776)

The operations described above were of comparatively small importance. The fate of the nation ultimately depended on success against the main British armies. The first struggle of the main armies was for the possession of New York. As the city was on an island and the enemy possessed a powerful fleet, Washington was obliged dangerously to divide his forces in order to defend the various positions liable to sudden attack. Most of the Massachusetts troops in his army were stationed on Manhattan Island, but Prescott's and Nixon's regiments held Nut Island, now Governor's Island. The regiment of Colonel Moses Little of Newburyport garrisoned Fort Greene, the largest of a chain of forts on Brooklyn Heights. Colonel Little was a man of mature years, of courage and of good judgment in battle.

Late in June a British expedition arrived off New York and soon occupied Staten Island. There it remained some time. On August 22, having received large reinforcements, the British landed on Long Island. Washington on his part sent over more regiments from New York. General Sullivan's division, containing a Massachusetts regiment under Lieutenant-Colonel Henshaw, was thrown forward with orders to prevent the enemy from reaching the fortified lines. But it was attacked by superior numbers, outflanked and routed. Colonel Jonathan Ward's Massachusetts regiment, which probably did scout work near Stirling's position, was (probably unjustly) accused of burning a bridge and thereby preventing the escape of part of the brigade.

A six-gun detachment of Knox's artillery regiment won high distinction in the battle. Knox wrote to his wife: "I have met with some loss in my regiment. They fought like heroes and are gone to glory." Among the killed was Benajah

From print in the New York Public Library

ISRAEL PUTNAM

Carpenter, a Massachusetts man by birth and rearing, commanding a Rhode Island company of artillery.

The Crossing to New York and Kips Bay (1776)

After the defeat, Washington hurried reinforcements to Brooklyn; and Howe, too prudent to attack, began throwing up siege works. Washington then decided to withdraw to New York. The feat of moving nine thousand men across a broad tideway in one night, without the enemy's becoming aware of it, was largely due to the watercraft of Massachusetts men. Washington particularly directed that the boats be manned by Hutchinson's regiment, recruited chiefly from Salem. Glover's Marbleheaders were already on Long Island; and by seven the next morning Glover and Hutchinson's men had brought the whole army with its artillery and baggage across to New York.

New York could be no permanent refuge, and Washington reluctantly decided to withdraw to the north of Manhattan. Before the evacuation was completed the enemy struck at Kips Bay, a cove near the present East Thirty-fourth Street, against a breastwork manned by a raw brigade of Connecticut troops, mostly militia, and Washington immediately rode at full speed to the sound of the guns. Near Murray Hill he came in sight of the fugitive Americans, and of a brigade of Massachusetts militia under General Fellows just advancing to their support along with some Connecticut troops and Prescott's regiment under General Parsons. General Israel Putnam was also present.

Washington shouted orders to fall in line. But the panic spread to Fellows's brigade; their retreat disordered Parson's troops; and Continentals, Massachusetts men and Connecticut men, joined in a wild flight. Washington lashed runaways with his whip, snapped his pistols at them, and used language which might greatly shock the Daughters of the Revolution today. All was to no avail. The soldiers left their commander nearly alone in the face of the advancing British, so vexed, said Greene, that he sought death rather than life; but an aide, seizing Washington's bridle, turned his horse away from the enemy, and the general soon recovered his self-command.

Washington now sent directions for all the troops in the city to retreat to Harlem. Knox, who had been superintending the removal of the ordinance and stores with the aid of Aaron Burr, by a combination of skill and good luck brought the brigade safe to Harlem. Knox barely avoided capture. Officers from Pennsylvania and Maryland spoke or wrote bitterly of the conduct of the New England troops.

On the very next day came the battle of Harlem Heights, where Americans showed that they could drive the best British troops, and Massachusetts had a great part in the rehabilitation.

Montresor's Island and Pell's Point (1776)

On September 22 a special force under the command of Lieutenant Colonel Michael Jackson of Massachusetts made a brave but unsuccessful raid on Montresor's Island. Another Massachusetts officer, Major Hendley, who went as a volunteer, was killed. Washington described him in a letter to Patrick Henry as one of our best officers. October 1 came a little battle like Bunker Hill at Pell's Point. Glover's brigade, fighting behind stone walls, twice repulsed the British light infantry. At White Plains a militia regiment commanded by Lieutenant Colonel Brooks, a very gallant officer, flinched from the attack of a Hessian regiment.

Trenton and Princeton (1777)

After the disaster of Fort Washington, the American army retreated through New Jersey and crossed the Delaware into Pennsylvania. Its numbers had been terribly diminished by the refusal of men to stay beyond the term of their enlistments and by actual desertions. Washington was at last reinforced by a body of New England troops from Ticonderoga, but their engagement was to expire with the year 1776. The enemy had established a line of posts on the Jersey side of the Delaware, and Washington determined on a return thrust, which in the end saved the American cause.

At Trenton lay a brigade of about twelve hundred Hessians under Colonel Rahl. Christmas was known to be a day of great festivity for the Germans, and Washington resolved to make a surprise attack on Trenton in the early morning of the twenty-sixth of December. A force of twenty-four

hundred men put into boats under Washington's own supervision, and Glover's Marbleheaders rowed them safely across the Delaware. After landing, the little force was divided into two columns under Greene and Sullivan commanding the eight Massachusetts regiments, those of Bailey, Baldwin, Glover, Joseph Read, Seth Read, Sargent, Shepheard and Hutchinson, mainly composed of State companies but containing one Massachusetts Continental company.

The attack was made as planned and four-fifths of the enemy force were captured, with practically no loss on the American side. The success was largely due to the skillful handling of the artillery by Knox who was highly praised by Washington in general orders. A few days later Washington defeated the enemy by a similar thrust at Princeton, a Massachusetts brigade doing good work.

Of great importance, and causing perhaps more immediate alarm in Massachusetts than the operations mentioned above, was danger of British invasion of New York from Canada. The American army in Canada contained many Massachusetts regiments and for a short time it was commanded by an able Massachusetts officer, Major General Thomas. He soon died of the small-pox, and the army dwindled from diseases, expiration of enlistments, and desertion. Canada was abandoned; and only the insight and courage of Arnold prevented an invasion of New York in 1776.

Burgoyne Campaign (1777)

Repeated changes of generals occurred, and of the regiments forming the army. On June 12, 1777, General St. Clair took command of the American post at Ticonderoga.

A large part of the garrison was made up of Massachusetts troops, Continental and State. On the approach of the British the fortifications were hastily abandoned. On the retreat the rear guard of the army was overtaken and defeated. A new Massachusetts Continental regiment stood firm for some time, but its brave commander, Colonel Frances, was killed. Two Massachusetts militia regiments fled to the main force and temporary safety.

Two detached American victories, at Fort Stanwix and Bennington, did much to ruin the whole British campaign.

Massachusetts troops participated. The garrison of Fort Stanwix near the Mohawk River included two hundred men of Colonel Wesson's Massachusetts regiment. The relieving force under Arnold was composed partly of Massachusetts men and partly of New Yorkers. The American army at Bennington was made up chiefly of militia from Vermont and New Hampshire; but Colonel Symond's regiment from Berkshire County, in Massachusetts, arrived the night before the battle.

The danger from the British invasion of New York aroused New England, and large numbers of militia came back to the American camp. Burgoyne marched to attack Gates' position. On the American right were Glover, Patterson and Nixon's Massachusetts brigades under the immediate direction of Gates. In the center with New York troops was Learned's Massachusetts brigade.

Arnold commanding in the left did most of the fighting at the first pitched battle of Bemis Heights, and received assistance from Learned's brigade and from Marshall's Tenth Massachusetts. Marshall had a sharp and successful contest with a body of light infantry and grenadiers; and the Eighth Massachusetts, commanded by Lieutenant Colonel Brooks, was the last regiment to leave the field. The American of highest rank killed in this engagement was Colonel Colburn of Massachusetts, a good officer.

In the second battle of Freeman's Farm, October 7, the Massachusetts brigades of Learned, Paterson and Glover took a most vigorous and important part, fighting under the unauthorized and inspiring leadership of Arnold. A part of Brooks' regiment with Arnold at its head turned and stormed an important redoubt and thus compelled Burgoyne to give way. The next day General Lincoln was badly wounded while reconnoitering.

The Convention Troops (1778 – 1779)

October 16, Burgoyne, short of provisions and transport and surrounded by a much larger force, signed the Convention of Saratoga by which he and his army were to be embarked for England at Boston.

Boston was selected in order to delay the despatch to

America of other British troops whose place would be taken by Burgoyne's army. The prisoners were escorted across the State to Cambridge, where and in the neighborhood they were quartered for several months. The failure to provide suitable quarters for officers and troops by the Massachusetts authorities is a painful episode. Massachusetts found her enforced guests somewhat burdensome. A body of militia was called out to guard them; there was difficulty in finding suitable quarters for the officers; and there was much friction between General Heath, the Continental commander, and General Phillips, left as successor of General Burgoyne, when the defeated general was allowed to proceed to England on parole. In 1778 the British "Convention troops" were moved into the interior of the State and were later sent to Charlottesville, Virginia.

Germantown (1777)

No fighting occurred between the main armies in the spring and summer of 1777, but in the early fall Howe, who had invaded Pennsylvania, defeated Washington at Brandywine, captured Philadelphia, and again defeated Washington who had attempted to surprise a part of the British army at Germantown. Most of the Massachusetts troops had been sent to defend the valley of the Hudson against Burgoyne's invasion, and so took no part in these engagements; but one of the best Massachusetts generals played an unwise part at Germantown.

Early in the battle six companies of a British regiment took refuge in the stone mansion of Chief Justice Chew and from it poured a hot fire on the Americans; and unsuccessful attempts were made to burn or to batter down the house. General Knox insisted that to leave a hostile fort in the rear would be against all the principles of war. All this consumed valuable time and the sound of firing in the rear shook the nerves of the troops in front, who had been unskillfully handled, and the Americans gave way.

Monmouth (June, 1778)

Both armies soon went into winter quarters and remained inactive until the middle of June, 1778. Sir Henry Clinton, who had succeeded Howe, then evacuated Philadelphia and

marched for New York. Washington followed and, June 28, fought the battle of Monmouth Court House. The action may be divided into two parts; first, the failure of a large detachment under General Lee to cut off the enemy's rear on its retreat; second, the repulse by Washington of the attacks of the main army of the British.

In the first action two Massachusetts regiments were engaged, those of Henry Jackson and Wesson. Just after the battle, Knox, who was an intimate friend of Jackson, wrote to Mrs. Knox that he had seen "Harry" in the fight; that he appeared much fatigued; that his regiment had lost a few in killed and wounded and were said to have behaved well. But there were very different reports. Knox formally expressed the opinion that the regiment had been withdrawn from the fighting too readily; and Jackson asked and obtained a court of inquiry. The court found that nothing appeared against him sufficiently reprehensible to require his being sent before a court-martial.

After 1778, the British transferred their active operations to the South, which was defended mainly by troops drawn from its own states. For the remainder of the war, of the little fighting in the North the Massachusetts regiments had their share.

In 1778 the Indians and Tories were doing serious mischief near Cherry Valley, New York. A Continental regiment, the seventh Massachusetts, commanded by Colonel Alden, was sent there to protect the district and a fort was built. The enemy made a surprise attack, killed Alden and about thirty soldiers, and captured some forty more of the regiment including the lieutenant colonel. The fort, however, made a gallant defense under Major Whiting and Adjutant Huckling, and held out until relief arrived.

The affair at Cherry Valley was one of several instances in which Massachusetts troops were the victims of surprise. In 1777 the British attacked an outpost at Bound Brook commanded by General Lincoln, captured his papers and three small cannon, and almost caught the General himself. In 1780 Lieutenant Colonel Thompson while patrolling the lines was caught off his guard; he was himself captured, and his force suffered severely in officers and men. Joseph Ward,

Original by Stuart

Courtesy of Museum of Fine Arts, Boston

General Knox

the commissary of musters, was captured by a band of refugees.

Although the Massachusetts regiments took no part in the southern campaigns, two of the generals from that State were active in that field. General Lincoln commanded the Southern Army, though with small success. He led a gallant assault on Savannah and barely missed carrying the place; and he defended Charleston with skill and resolution but at last was obliged to surrender with his whole garrison. Lincoln might have shown more wisdom had he saved his troops by an early abandonment of the town.

At Yorktown Knox commanded the artillery in such a manner as again to receive high praise from Washington and to win a major-generalcy from Congress, an honor which he had long deserved.

The Bounty Controversy (1776)

Massachusetts, as one of the United Colonies, and after July 4, 1776, of the United States, was called upon to furnish a definite number of men for the Continental Army. The United States did not recruit its own troops but apportioned the number desired among the several states. These demands were not easy to meet. What may be termed the surplus or disposable population of Massachusetts was not large. The Continental pay for privates was liberal compared with that of European soldiers; but prices rose, and men with farms to care for and families to support made a painful sacrifice in leaving their homes and fields for military service.

In Massachusetts it was proposed to meet the difficulty by giving a cash bounty, an expedient which removed one obstacle but raised others. March 7, 1776, James Warren wrote to John Adams that the House had voted a graduated bounty and added: "I have my doubts and fears about this measure. I fear that bounties will rise faster than money can depreciate or goods rise. I fear the displeasure of Congress that they will be disgusted. The Board [i. e., the Council] have prudently stopped it for the present." In June, 1776, Congress asked Massachusetts for five thousand men to serve in New York and Canada. The State voted to raise them

and offered liberal bounties, but assigned as a reason the pressing urgency and the need of supplying the soldier with means to equip himself on so sudden a call.

The Massachusetts government soon took a much longer step on the downward path. The army had been engaged only for the year and Congress was now endeavoring to obtain a force to serve for the war. To men engaging for this term Massachusetts offered pay of twenty shillings a month in addition to the pay given by the Continent. The State sent commissioners to camp to endeavor to re-enlist its own soldiers, but Washington was so alarmed by the prospect of different parts of the same army receiving different rates of pay that he induced the commissioners to refrain from making their offer public until Congress could be consulted. He then wrote to the president of Congress, setting forth the danger in the liberality of Massachusetts. Congress modified its own action by authorizing a bounty for a three-year enlistment nearly equal to that for the war and requested Massachusetts to repeal her offer. Massachusetts complied.

What was drawn back with one hand was in substance given again with the other. When a committee of delegates from the New England states (December, 1776) recommended giving to non-commissioned officers and privates a bounty of thirty-three and one-third dollars, the Massachusetts legislature promised double that amount. James Warren wrote to John Adams: "The zeal in some to give everything to the soldier, the impatience in others in taking new measures before they could see the effects of what was already done, is such that no reason, argument or influence, I am master of, could carry through a resolve fixing upon something certain as an ultimatum beyond which in the way of encouragement we would not go or prevent the sending out of a resolve holding up to the soldiers a design of making a levy on the Towns which is in effect offering them a bounty of 50 or 60 dollars more and has as I expected and propphesied stopped the enlistment of thousands who now wait for the opportunity of filching as much more money from their neighbors as they can."

Evils of the Bounty System (1776–1779)

The towns also made use of "paper credits." General Heath wrote to Washington that men had enlisted, received a bounty, deserted, re-enlisted and drawn another bounty. Out-of-state men enlisted in the Massachusetts line and were hired by various towns to represent themselves as part of their quotas. The legislature declared that the practice was pregnant with many frauds and mischiefs, and annulled all such bargains, present or future.

In 1777, when a heavy draft was made on the militia, Massachusetts, disregarding previous warnings, offered pay of two pounds ten shillings a month more than the Continental. General Heath wrote to Washington that some men had received from twelve to forty pounds from towns and individuals for three months' service and that he feared that this would not only retard the filling up of the Continental battalions but would make the soldiers who had already enlisted very uneasy.

In 1779, in return for an enlistment for the war, the State offered to pay the Continental bounty of $200 (paper money), $100 in addition, and $200 more six months after enlistment unless the soldier had already been discharged.

Besides money bounties, special advantages were often given to men in the army, such as exemption from poll and personal property taxes. On one occasion at least their real estate was exempted from a tax levied for the purpose of raising troops. In 1779 the State promised to make good the depreciation of the paper money in which the army was paid, this to be estimated on the basis of the rise in price of certain specified necessaries.

Recruits (1775–1781)

Massachusetts might be prompt and liberal in efforts to raise troops, but could not make them spring full armed from the ground, or even keep them in camp, after with much effort they had been marched there. In calling for troops the State did not order out definite regiments, for nearly all able-bodied men were members of the militia. The organizations were local, and service by regiments or companies would have depopulated some towns and left others untouched. Each

town was directed to furnish a certain number of men; if they could not be obtained by volunteering, as was usually the case, the selectmen, living up to their title, designated the recruits or more often chose them by lot.

A draftee who failed to report or furnish a good substitute in twenty-four hours was fined; but he was not required to serve on that particular summons and he often preferred paying the fine to joining the army. Well-to-do men gave large sums for substitutes. Persons who were physically unfit to serve were fined with the rest, if the selectmen believed them able to pay the fine. These fines were used as an additional bounty to stimulate recruiting or when the quota was filled, for the benefit of the regiment. Towns that were deficient in their recruits were fined thirty pounds, local currency, for each man missing. Towns which promptly filled their quotas received a bounty. Fines and bounties were added to or subtracted from the levy on the town for the State taxes. In 1781 the State government classed the towns and called on each class for a soldier, or a sum twenty-five per cent in excess of the average bounty.

Contemporary Criticism of Recruits (1775–1777)

The hardships endured by the Continental soldiers greatly retarded recruiting; yet the advantages enjoyed and abused by these national troops angered the militia and prevented them from turning out. March 14, 1777, Timothy Danielson wrote to the president of the Massachusetts Council explaining why many of the fifteen hundred militia called out from Hampshire refused to march. He said: "The country has been at great expense to enlist their quota of the continental army, and the very men that have paid large sums of money to hire continental soldiers to enlist are now drafted to march to Ticonderoga while the men they hired are rioting at home on their money, unconcerned about the fate of his country. While the one is quitting his family, his farm and husbandry, to reinforce Ticonderoga, the other is sporting from house to house, and from tavern to tavern, spending the money the honest farmer has earned with the sweat of his face."

Much complaint was made of the time spent in marching to camp. Washington wrote that he was informed on good authority that the roads were full of officers and men idling away their time at taverns; and he urged that every party of recruits be accompanied by a commissioned officer; and that he be ordered to arrive by a specified time and be called to account if he failed. In camp the soldier, unaccustomed to leave his native village, soon felt the pains of exile. Montgomery once wrote that he was as homesick as a New Englander; and invalids from that region experienced a sudden restoration of health on receiving their discharge.

Quality of Massachusetts Troops

Such conduct raises the question what sort of men New England sent into the army. In September, 1775, a southern rifleman, writing to a friend concerning the troops before Boston, exclaimed: "Such Sermons, such Negroes, such Colonels, such Boys, and such Great Great Grandfathers." Doubtless there was reason for criticism. Puritan sermons may have seemed longer and harder to endure than a day's march, though the bulk of the clergy were ardent in the cause of the Colonies and preached politics. As for the colonels and other officers there is abundant evidence that many were clever politicians, not true leaders. Free negroes were at first admitted to the Massachusetts army. Later attempts were made to exclude them, but with only partial success. The boys were undoubtedly numerous, for Massachusetts enrolled "men" as young as sixteen. St. Clair wrote to the president of the Council that his garrison at Ticonderoga, which was mainly composed of Massachusetts troops, contained many "mere boys, altogether incapable of sustaining the fatigues of a soldier." Washington wrote that he heard that a reinforcement from Massachusetts contained children who were paid fifteen hundred dollars to serve a few months. There is less evidence of the service of superannuated men, but Schuyler complained of their presence as well as that of boys.

It must not be supposed that New England in general or Massachusetts in particular had a monopoly of unfit soldiers. Washington said that no State excelled those of New England in the quality of its private soldiers. The States of New

Jersey and Pennsylvania showed great supineness when invaded by the enemy. When Baron Steuben commanded in Virginia he was driven almost to despair by the immaturity of recruits brought in for service at the front.

Officering the Troops (1775 – 1781)

The appointment of officers to the higher ranks was assumed by the legislature. It was by nature an executive duty, previously performed by the Governor and Council. Congress had advised Massachusetts to form a government conforming as closely as possible to that of the charter; and by the charter, if there were neither governor nor lieutenant governor the Council performed the duties of the governor, and the Council now claimed authority to appoint officers. The House, however, demanded an equal voice in the matter. The Council then asked the Massachusetts delegates in Congress for an opinion as to the meaning of the vote recommending Massachusetts to establish a government as nearly like that of the charter as possible.

The majority of the delegation, including both Adamses, replied that they had consulted the members of Congress individually, and that it was intended that Massachusetts should follow the charter; but that, as a dispute would be dangerous, it was advisable for the Council to allow the House to participate in making the appointments. This policy was adopted.

James Warren was exceedingly bitter in the matter of the right to select officers. He wrote to John Adams: "The Board contend for the exclusive right, plead the Charter, and assert the prerogative with as much zeal, pride, and hauteur of dominion as if the powers of monarchy were vested in them, and their heirs, by a divine, indefeasible right. This is indeed curious to see a Council of this Province contending for the dirty part, of the Constitution, the prerogative of the Governor."

Major General Warren (1776)

Warren was also a champion of the most extreme claims for equality with the Continentals. He was a major general of the Massachusetts militia. He was ordered to Rhode

Island, there to be under the command of a Continental general. As soon as the immediate danger passed, which it did quickly, he resigned in much wrath. He wrote to John Adams: "I know of nothing to determine an officer's rank but this Commission and the date of it. If we have no right to appoint Major Generals we should not have done it. If we have they ought to have their rank, with whatever troops they are called to serve, or at least the depreciation should have been settled prior to the appointment, and they should have known what proportion of one they were to be, when they came within the splendid orb of a Continental Officer. This by depressing that spirit of military pride which alone can make them important to themselves and others, will soon render them of little consequence and make a standing army necessary." Some months earlier he had written to John Adams that the opinion of the militia "runs very low with our Military Gentry, who have forgot from whence they came, and of what materials they are now some of them half formed." A similar situation arose in the District of Maine during the War of 1812.

The State and the Union each had its pressing wants and it was inevitable that there should be friction between them. A few days after condemning the hauteur of the Continental military officers, Warren complained to Adams of civilian interference. "I could wish the agents you may send here to purchase cloathing or other necessaries for the Army may be instructed not to violate our Laws [presumably those regulating prices], assume too great a superiority, or interfere with our Board of War, who are really agents for you without commissions or pay, and do business for you in the best manner."

Supplying Ammunition (1775 – 1779)

Today soldiers receive their ammunition and arms solely from the government; but in the American Revolution this was not the case. There was still much hunting in the country woods, and the farmers who gathered at the news of Lexington and Concord, brought with them firelock or rifle and cartouch box. When enlisting orders were issued, the men were

directed to bring their arms and ammunition. The supply was inadequate, especially of powder. The colony was accustomed to keep powder on hand, and shortly before the outbreak of the war the amount had been increased. A pamphlet was issued instructing the people how to extract saltpetre from the earth, and an offer was made to buy all that should be delivered. In November, 1776, more liberal terms were offered. The legislature directed a committee to discover if possible a sure and satisfactory method for manufacturing saltpetre. In December, John Adams obtained a plan for the erection of a powder mill and sent it to Paul Revere. January 9, 1777, the legislature entered into an agreement with Samuel Phillipps, Jr., of Andover for the erection of a mill and the manufacture of powder for the colony. Bounties for the erection of powder mills having produced no result, the legislature (April 5) ordered colony mills to be built at Sutton and at Stoughton.

It was important that the powder should not only be abundant but of proper quality. The legislature realized this, but its efforts met with indifferent success, perhaps because of necessary reliance on amateur manufacturers. A year later General Heath, then in command at Boston, wrote to Washington: "A day or two ago the powder made and belonging to this state was found to be bad." Heath earnestly begged that powder for the continent recently brought into Portsmouth from France be deposited in Massachusetts as no reliance could be placed on powder of local manufacture. In surprise and alarm Washington replied: "Yours of the 9th is this moment come to hand. There certainly must be roguery or gross ignorance in your powder-makers, because the powder made in the other states is esteemed better than that imported from Europe."

Small Arms (1775–1781)

Massachusetts gave little atttention to procuring muskets. It offered to purchase them from individuals in order to encourage the manufacture; but it made few or none itself. In time of need it turned to the continent. Washington wrote to Heath his surprise at Massachusetts's demand for powder: "Sorry I am to observe that nothing now will content that government but the new arms lately arrived, which will be

greatly wanted for troops that cannot otherwise be provided, when I have abundant reason to believe that no state upon the Continent has it in its power to furnish the articles as Massachusetts Bay. Indeed I am informed that arms and military stores are hoarded up in that government which makes everything of the kind exceedingly difficult to be had for continental use, and has the appearance of a separate provision."

Cannon (1776–1781)

Massachusetts paid considerable regard to what now would seem a duty of the central government, the casting of cannon. The ordinary cannon of that day were small and made in considerable numbers, merchant ships often carrying them as a defense against pirates. Many Massachusetts towns were exposed to an attack by the enemy's mounted guns. September 16, 1776, the legislature ordered a committee to erect or purchase a furnace for casting large cannon; and on the same day voted that inasmuch as Preserved Clap claimed to have discovered a superior method for boring cannon, if he would satisfy the committee of its superior usefulness he should be paid a compensation proportioned to the value of his invention. A French officer was employed by the legislature to manufacture cannon according to a new method and to teach it to such persons as the legislature might designate. Later, rank and a money bonus were given to a French lieutenant colonel of dragoons who had spent much time in instructing Massachusetts artificers in making a gun-carriage of a new construction.

Military Service of John Adams (1775–1778)

The military history of Massachusetts during the Revolutionary War includes the part played by its delegates in Congress in relation to military matters. The original motion for "adopting" the army before Boston and appointing a general was made by John Adams and seconded by Samuel Adams. John Adams was by nature a vigorous and open fighter; and he was appropriately put at the head of the Board of War and Ordnance, which was in effect a permanent committee of Congress acting as a limited and strictly supervised

war office. Somewhat later Adams served on a committee for drawing up articles of war. According to his autobiography, he did most of the work; but he seems to have made little change in the English articles.

Period of Enlistment (1775–1778)

One of the most serious questions which Congress had to decide was the period for which soldiers should be enlisted. Washington repeatedly advocated enlistments for the war. But throughout America, and in England too, there was a great jealousy of standing armies. The majority of Massachusetts Whigs, probably, regarded annual elections as the great safeguard of their liberties in peace, and were inclined to consider annual enlistments as equally precious in war. John Adams wrote to his wife: "For my part I will vote upon the general principles of a republic for a new election of General officers annually." Adams, as a matter of theory, favored enlisting soldiers for the war, but feared that the farmers' sons desired for the army would not bind themselves for so long a period. Admitting that short enlistments would probably mean greater expense and more defeats, he believed that the disadvantage would be partly balanced by escaping the danger and violence of a standing army, and affording to the militia "courage, experience, discipline and hardness." Samuel Adams objected to an enlistment for the war as unprecedented; but advised Congress to consider lengthening the term of service. A compromise was finally agreed to: soldiers were allowed to enlist for three years or during the war; and an extra bounty in land, which at the price of wild land was not of great immediate value, was offered for the longer enlistment.

Appointment of Officers by Congress (1775–1781)

During the greater part of the war Congress left the choice of company and field officers to the States; but it kept the appointment of generals in its own hands and its selections frequently gave much offense in camp. Officers felt their honor wounded if others were promoted over their heads, but members of Congress were anxious to maintain the supremacy of

the civil over the military power. The honor for which they contended was that of their States, who demanded generals in some proportion to the number of men furnished.

Much friction was caused by the appointment of foreign officers to commands in the American army. The first non-American officers introduced were Gates and Lee, though they were fellow subjects of Great Britain and intended to take up their permanent residence in the Colonies. John Adams wrote to Gerry that he was distracted by thoughts of their "great experience and confessed abilities" on the one hand, and the "natural prejudices and virtuous attachments of our countrymen to their own officers on the other." He at last decided in the Englishmen's favor. Opinion in Congress seems to have been much divided. Some wished to make Lee second in command; Adams declared that Ward had an absolute claim to the second place, but both he and Samuel Adams fought their hardest to win for Lee the dignity of second major general.

Foreign Officers

Within a year Congress was obliged to decide whether it would confer commissions on strangers who were foreigners in every sense of the word. It was then not unusual for European officers to enter armies other than their own, and many offered their services to the rebellious colonists. Congress was much impressed. The first comers were frequently adventurers destitute of ability and sometimes of character, but they were skillful braggarts and they often brought high-sounding recommendations. The Colonies were woefully lacking in men of experience in regular warfare and Congress felt a provincial deference to persons who had moved in the great world. Serious mistakes were made, the Massachusetts delegates erring with the rest.

One of the earliest applicants to arrive was the Baron de Woedtke, who was believed to have served in Prussian and French armies. He brought flattering certificates and claimed to be a Knight of Malta. On the motion of John Adams he was made a brigadier general, and his trustful sponsor wrote to James Warren that he was a great officer. He proved a great failure. He was of dubious courage and a drunkard.

His one service to America was speedily to die. Later, certain officers were sent over by Silas Deane, American representative in France. They were of better quality than Woedtke, but Adams greatly exaggerated their value. Knox in a letter to Gerry on military matters complained bitterly of the way in which rank was bestowed. Gerry replied that in appointing generals some regard should be paid to the number of troops furnished by each State. Likewise he asked: "Can any person suppose that a year or two in the service of the United States will qualify an officer as well as ten or twenty years service in the armies of Europe?"

Massachusetts and Washington (1775-1777)

At first Massachusetts leaders were very favorably disposed to Washington. Gerry wrote to the delegates in Congress in 1775, urging his appointment as commander-in-chief. John and Samuel Adams took steps to secure it in May, 1775. Later, Samuel Adams was greatly offended by a sharp complaint of the Massachusetts legislature made by Washington in a letter to Joseph Reed, and shown to Adams. When Howe evacuated Boston in 1776, John Adams moved that a gold medal be struck and presented to Washington. Congress adopted the motion and put Adams at the head of the committee to procure the medal. In the spring of 1776, Gates appears to have begun his wooing of New England. John Adams expressed an earnest wish that he and Mifflin be sent to command there, with the rank of major general and brigadier general respectively.

It has been suggested that the contrast between the capitulation of Burgoyne in 1777 and the defeats at Brandywine and Germantown was the main cause of the dissatisfaction with Washington, but the disastrous campaign in and about New York in 1776 produced a very unfavorable effect in Congress.

In February, 1777, a bombastic and ridiculous resolution expressing the intention of Congress to enable Washington to annihilate Howe's army was introduced in Congress. An attempt to strike it out was defeated, all the New England states voting for it; and a contemporary account written by a member of Congress says that in the debate the delegates from

the eastern States showed a great desire to insult the general.

A speech of John Adams in another debate is thus reported in Benjamin Rush's diary: "I have been distressed to see some members of this house disposed to idolize an image which their own hands have molten. I speak here of the superstitious veneration that is sometimes paid to Genl Washington. Altho' I honour him for his good qualities yet in this house I feel myself his Superiour. In private life I shall always acknowledge that he is mine."

Criticism of Washington (1777)

In the spring of 1777, Samuel Adams was earnestly desirous that Washington, when reinforced by militia, should attack the enemy. In his letters he expressed a disapproval of a Fabian campaign and pointed out in the fashionable classic style that Hannibal was defeated by Fabius because he could not obtain reinforcements and supplies from home and so could be worn down by local war.

In the years 1777 and 1778 there was a movement to displace Washington by Gates or possibly by Lee; it was known as the Conway Cabal from a foreign officer named Conway whom accident made notorious in the affair. It was charged at the time and later, that the delegates from Massachusetts, especially John and Samuel Adams, were leaders of the movement against the commander-in-chief. Both denied the accusation, Samuel Adams declaring that it was a political slander spread by Hancock and his friends. While it may be true that neither Adams formed a definite and deliberate purpose to remove Washington, their record is not clear in his support. Another Massachusetts delegate, James Lovell, was a bitter critic of Washington and would have seen him superseded with great pleasure.

Renewed Opposition to Washington (1777–1778)

After Burgoyne's surrender in October, 1777, John Adams wrote his wife: "Congress will appoint a thanksgiving; and one cause of it ought to be that the glory of turning the tide of arms is not immediately due to the Commander-in-chief nor to southern troops. If it had been, idolatry and adulation would have been unbounded: so excessive as to endanger our

liberties, for what I know. Now, we can allow a certain citizen to be wise, virtuous and good, without thinking him a deity or a saviour."

A little later the movement against Washington became publicly known and most of the participants broke for cover. Nevertheless the anti-Washington faction was strong enough in Congress to appoint Conway major general in 1778, entirely against Washington's wish; and to put Gates at the head of a new Board of War created for its purposes. But it was not able to attack the commander-in-chief openly. January 1, 1778, Samuel Adams wrote to Richard Henry Lee, citing Cicero, on the importance of a general being reputed fortunate, and expressing a fear lest Washington suffer from the deficiencies of his officers, and he urged that there be an inquiry into the causes of the failure to gain an important success in the campaign of the past year.

In April, Congress rid itself of Conway. He wrote an impertinent letter requesting President Laurens to make his "demission" acceptable to Congress. Congress by an overwhelming majority accepted his resignation. One of the few objectors was Elbridge Gerry. Conway came to Philadephia to explain that he had not intended to resign, but Congress took no action. In a letter to Gates, Conway complained of the coldness of members but exempted from his censure Samuel Adams and Richard Henry Lee.

Half Pay Controversy (1777–1780)

When the privates were once enlisted into the Continental service, discipline and the provost marshal were relied on to keep them there. The officers however had a right to resign, at least by custom, and they exercised their privilege to an alarming extent. They were paid directly and indirectly much less than were British officers, who also received half pay for life on retiring from the army. The Americans strongly desired a like privilege. In the spring of 1777, Congress discussed the matter at great length and with much vigor. Massachusetts spoke in doubtful tones but her final decision shaped the issue.

Massachusetts had at the time three delegates in Congress, Francis Dana, Elbridge Gerry and James Lovell. Lovell was

totally opposed to giving any additional compensation to the officers. Gerry's course on this as on other occasions suggests the comment made on one of the early governors of Maine. "His ex-Excellency has been a fence man all his life." Dana usually agreed with Gerry. A resolution was offered giving half pay for life to officers serving throughout the war.

An amendment was moved substituting a lump sum; but it was defeated, both Gerry and Dana voting in the negative. Dana made an unsuccessful attempt to base the half pay on the lower pay given in 1775. A motion to refer the proposition to the States, which would have been equivalent to defeat, was lost, Dana and Gerry voting against it. The original motion was then passed, Gerry and Dana assenting. But the members from four States continued to oppose the bill in private discussions and one of its Massachusetts supporters later changed his mind.

Because of a great desire for harmony, the grant was reconsidered; and all the States agreed to give half pay for seven years. Though the States were unanimous, the delegates were not. Lovell and Wolcott of Connecticut cast their votes in the negative, and probably many of the affirmative votes were given reluctantly. Yet Washington and officers thought that the grant should have been for life.

Half Pay Question Settled (1780–1783)

Discontent and resignations continued; by the autumn of 1780 the feeling in Congress had become much more favorable to the army, and in October, 1780, Congress gave to officers who should serve throughout the war half pay for life. A like provision was made for the widows and orphans of officers dying in service.

The grant however was but a promise; and as peace approached it seemed that it might prove an empty one. Congress was dependent on the States for funds for current use, and they had almost stopped the supply. Under these circumstances the Massachusetts officers resolved to appeal to their own State. Hence in September, 1782, Colonels Brooks, Rufus Putnam and Hull were sent to Boston with a petition that the State would assume or commute the half pay and provide for other claims. Governor Hancock, to whom Knox had written

a special appeal, gave the deputies fair words; and Samuel Adams told them that he would favor a liberal commutation.

Feeling in the legislature was divided. The Senate and the seaport members in general favored the proposition, the House, which was filled with members from the country districts, was said to be opposed, four to one. The farmers were hard pressed financially and feared an increase of taxes. They were very democratic and thought that the officers should support themselves by going to work. A Massachusetts delegate in Congress wrote that the subject of half pay would soon be considered by that body, and the letter served as a reason for postponing discussion of the officers' petition.

The Massachusetts officers now determined to appeal to Congress. Officers of the different regiments prepared statements of their grievances; then it was decided to ask all the officers of the main army to unite. Another memorial was drawn up, and was taken to Philadelphia by General MacDougal of New York and Lieutenant Colonels Brooks of Massachusetts and Ogden of New Jersey. After conferring with a committee of Congress, Brooks and Ogden returned to camp; MacDougal awaited the decision of Congress. A committee proposed a commutation of six years, half pay in six-per-cent securities. New England and New Jersey voted in the negative and the motion was lost, since nine voters were necessary for an appropriation.

Meanwhile conditions in camp were assuming a serious aspect. There a movement was suggested to quicken the action of Congress by a demonstration by the army. Some officers wished merely for a vigorous remonstrance; others for a *coup d'état* by the army, with Washington as its leader; still others looked for something between the two. The full history of the affair probably will never be known.

Newburgh Addresses (1783)

March 10, 1783, appeared the first of the famous Newburgh addresses, so-called from the place where the troops were encamped. They were anonymous but are now known to have been written by Major John Armstrong, an aide of General Gates. Armstrong called on the officers to refuse

service and resist disbandment. Washington, who had received information of the secret plans of the conspirators, forbade a meeting of representatives of the officers proposed by Armstrong, but called another on his own authority.

The General himself appeared before the officers, and read a paper begging them not to lessen their dignity and sully their glory, and also part of a letter from a member of Congress. He then withdrew. On motion of Knox, seconded by Rufus Putnam, Washington was most affectionately thanked for his address.

A committee of three, Knox, Brooks and a Captain Howard, were appointed to draw up resolutions. They asserted the patriotism of the officers and their confidence in Congress, but pressed their former requests. The resolutions were passed unanimously, as was one condemning the anonymous address.

Effect of the Newburgh Addresses (1783)

Washington sent the resolutions of the officers to Congress, and urgently advised a compliance with their desires. The seriousness of the crisis affected the staunchest opponent of half pay; and, March 22, 1783, Congress voted the officers a commutation of five years' full pay in cash or six-per-cent securities.

Massachusetts men helped Washington to save the country from disaster in the affair of the Newburgh addresses, the last great crisis of the Revolution. They were also prominent in the transition to peace. William Heath, who as ranking officer of the militia present set the guards round Boston in the evening of April 19, 1775, also superintended the furloughing of the main Continental Army and was the last "general of the Day." Henry Knox was in command of the troops who took possession of New York on its evacuation by the British; and when Washington resigned he became commander of the American Army. The force was composed of about one hundred and twenty artillerymen and an infantry regiment about five hundred strong, under Henry Jackson of Massachusetts. They remained in service until the following June, when Congress reduced the United Stater Army to a single company used to guard the public stores.

Later Services of Massachusetts Officers

The question naturally arises, did the former officers from Massachusetts play a prominent part in the later military and civil history of the nation and the State. Knox served efficiently as Secretary of War from March 18, 1785, to December 31, 1797. William Hull stained his name by the surrender of Detroit at the opening of the War of 1812. He was partly the victim of the mismanagement of others, including his own son, but he had lost his fighting edge and he is condemned by two of the best modern authorities, Adams and Fortescue. In Massachusetts old officers of the Revolution obtained high rank in the militia. Benjamin Lincoln efficiently commanded the troops which put down Shay's Rebellion. John Blake, a lieutenant in the army of the Revolution, became a brigadier of militia and as such commanded in the "battle" of Hampden, Maine, September 3, 1814.

Few high civil positions were given by Massachusetts to her former soldiers. None became United States Senator and none governor until 1816. In that year the Federalists elected John Brooks governor, and during the campaign laid much stress on his services in the Revolution. Probably they wished to make a special display of patriotism because of the opprobrium cast upon them by the holding of the Hartford Convention of 1814. In the distribution of minor offices Massachusetts was more generous to her soldiers. Benjamin Lincoln was lieutenant governor for one year, David Cobb for one, Henry Knox served in the Council.

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CHAPTER VI

MASSACHUSETTS IN THE NATIONAL GOVERNMENT (1776–1781)

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The Massachusetts Lead (1764–1774)

It is well known that Massachusetts had for some years previous to 1775 borne the brunt of British displeasure. Her people were of Puritan heritage—sturdy, sincere and jealous of what they conceived to be their liberties—unaccustomed to dictation and immovable when principles were involved. Constitutional questions had always played an important part in sustaining charter rights; and many bitter battles with His Majesty's legal advisors had left marks quite as indelible as more widely known physical encounters. The leading community, the town of Boston, gave its name with significant frequency to unpleasant events. The most prominent citizens throughout the colony were foremost in expressing violent dissatisfaction with British interference. Town meetings no longer represented only a few struggling wilderness settlements but some two hundred vigorous communities containing over three hundred thousand inhabitants, and they served as admirable distributing points for the ceaseless publicity of political grievances. Hence ideas of resistance, as well as of possible independence, became firmly rooted in community thought.

For these reasons, the resentment of the British government was directed particularly against Massachusetts; and the two years preceding 1776 were marked by increasing friction, each episode a little more violent in its effects than its predecessor. Nearly nine years elapsed between the first stages of the Stamp Act and the Boston Tea Party; but in

nine months, from October, 1774, to June, 1775, came the three sessions of the Massachusetts Provincial Congress, the First Continental Congress, the battles of Lexington, Concord, Bunker Hill, Ticonderoga and Crown Point, as well as the opening of the Second Continental Congress and the beginning of the siege of Boston.

The share of Massachusetts in founding a permanent national government goes back to the part played by the Massachusetts delegates in the first Continental Congress in Philadelphia, September, 1774, described in detail in the preceding volume of this series. It is sufficient here to recall that the Salem meeting of the General Court (June, 1774) had confidently chosen delegates (only twelve dissenting voices had been raised in a membership of one hundred and twenty-nine), and James Bowdoin, Thomas Cushing, Samuel Adams, John Adams and Robert Treat Paine had been named to meet with representatives from the other colonies "to deliberate and to determine upon wise and proper measures . . . . for the recovery and establishment of their just rights and liberties." It was a great opportunity and one that was met with firmness and humility. John Adams confided to his diary: "We have not men fit for the times. We are deficient in genius, in education, in travel, in fortune, in everything. I feel unutterable anxiety. God grant us wisdom and fortitude."

The Massachusetts delegates were nevertheless men of mark,—capable, fearless and eager to emphasize any movement promising colonial solidarity. James Bowdoin, because of illness, declined the appointment, but the remaining delegates proved quite capable of speaking the thoughts of the Province. Thomas Cushing had behind him a consistent record of patriotism, marked by eight years as speaker of the House of Representatives. Few contemporaries were more favorably known to patriots of the colony than Samuel Adams, —educated in Harvard College, well founded in history and politics, a power in town meeting, deliberate, persevering and just. Robert Treat Paine held a high place in the public estimation. As a lawyer, he was among the most distinguished in America. He conducted the famous prosecution of Captain Preston and his soldiers after the Boston Massacre, he was chairman of the committee for the impeachment of Chief Justice Oliver in 1773, and was an active member of the

House of Representatives in June, 1774, when organized opposition to the British ministry was definitely undertaken.

John Adams completed the group,—"no one of the colonies could ever justly boast a character more profound as a civilian, or more resolute as a patriot." He was representative of Boston to the General Assembly during the trying experiences with Governor Hutchinson. He risked much when (as a matter of professional duty) he defended the British soldiers after the Boston Massacre. He presided over the meeting in Faneuil Hall when the Boston Port Bill was under consideration, and almost at the same hour was chosen by the Provincial Congress to sit in the first Continental Congress. A fervent and active proponent of the colony, with a career in politics before him destined to be equalled by few American statesmen.

First Continental Congress (1774)

In the meetings that followed, the part played by these men is well known. Hardly was the Congress under way than the Massachusetts delegates presented the "Suffolk Resolves." Those resolutions, prepared by Joseph Warren and entered into by the towns and districts of Suffolk County convened in Dedham and later in Milton, September 6-13, 1774, strongly hinted that the time had come for armed defense. They were given immediate attention, and while, perhaps, many members were amazed at the extreme tone adopted, they were received (so Samuel Adams wrote to his friend Charles Chauncy) "with great applause;" and Congress was unanimous in approving "the wisdom and fortitude" of their provisions and urged perseverance in "the same firm and temperate conduct" that the resolves expressed. This however was but a step. Massachusetts had been too close to events to approve the milder remedies of members from remoter sections, and while her delegates spoke softly in the interest of harmony, they nevertheless found occasion to guide timid colleagues to more extreme views. "We have been obliged," wrote John Adams, "to act with great delicacy and caution. We have been obliged to keep ourselves out of sight, and to feel the pulses and sound the depths; to insinuate our sentiments, designs, and desires, by means of other persons;

sometimes of one Province, and sometimes of another." But whenever the opportunity offered they talked of vigorous measures, which at that time were understood to mean strict non-importation, non-consumption and non-exportation agreements against the mother country.

There were moments, however, when even such remedies assumed an unheroic aspect. Writing to James Warren in July, John Adams assured his friend that he saw no use in such virtues as prudence, policy and integrity without *power;* and could not refrain from calling attention to the fact that "When Demosthenes . . . . went Ambassador from Athens to the other States of Greece, to excite a Confederacy against Phillip, he did not go to propose a Non-Importation or Non-Consumption Agreement!!!" He complained of the unendurable "figurative panegyrics upon our wisdom, fortitude, and temperance; the most fervent exhortations to perseverance, but nothing more is done"; and was plainly disappointed when the great acts of the Congress embraced only a Declaration of Rights and Grievances recalling every phase of the unhappy relations of the past ten years; and the famous Articles of Association designed to put into effect trade suspension with Great Britain. The Congress further solaced itself with numerous petitions—one to the King, a memorial to the colonists, and an address to the people of Great Britain—and a few days before adjournment, passed a resolution that was, perhaps, destined to be the most significant of its acts:

"*Resolved,* as the opinion of this Congress, that it will be necessary, that another Congress should be held on the tenth day of May next, unless the redress of grievances, which we have desired, be obtained before that time. And we recommend, that the same be held at the city of Philadelphia, and that all the Colonies, in North-America, chuse deputies, as soon as possible, to attend such Congress."

Massachusetts Sentiment (1774–1775)

Events moved rapidly and Massachusetts continued the storm center of disturbances. With a remarkable single-mindedness and intensity of purpose she continued to resist the King. The Salem meeting of the General Court had been followed by extensive military preparations; county conven-

tions had been called; and inhabitants from the interior (particularly from Worcester and Berkshire Counties) assured friends in Boston that they were "never more firm and zealous," and that they looked "to the *last extremity* with spirit and resolution." Measures that smacked of rebellion increased,—so much so, that General Gage attempted the use of troops to disperse public meetings and to protect the courts.

During the fall and winter of 1774–1775 the colony was governed in effect, not by the titular Governor Gage, but by the series of extra-legal Provincial Congresses described in detail in chapter iii of this volume. Here the political business of the day was undertaken in earnest, and everything possible was done to prepare for eventualities. The inhabitants were cautioned that inasmuch as their lives, liberties and properties depended very much on effective military equipment, they must provide themselves with arms and ammunition and "use their utmost diligence to perfect themselves in military skill." A Receiver-General (to act as Treasurer of the Province) was provided, and the record states that "Henry Gardner, Esq. [delegate from the town of Stow], was chosen." Donations were promoted and received for the relief of Boston and Charlestown, the work of the first Continental Congress was praised and delegates chosen in anticipation of the second meeting. An address was printed *To the Freeholders and Other Inhabitants of the Towns and Districts of Massachusetts Bay,*—and on September 10, with provisions for calling a future assembly in the event of "unexpected important events," the first Provincial Congress in Massachusetts was dissolved.

The second met in February, 1775, and continued consideration of "the state and circumstances of the province." Four sessions were subsequently held—the first in Cambridge, the second and third in Concord, and the fourth in Watertown—extending (including some six weeks of recess) until May 29. Like the former gathering, this Congress continued its appeal to the patriotism of the people, outlined colonial grievances, expressed abhorrence of actual hostilities, but nevertheless firmness in the resolve to "defend those rights which Heaven gave, and no man ought to take from us."

Military Preparations (1775)

Military preparations were continued with vigor. Several companies of artillery were ordered to be organized, a set of rules was adopted for the "*constitutional* army" (if one should be raised); and the selectmen of the several towns were urged to provide for the speedy collection of public taxes and to raise what additional sums they could from loans.

In the fore part of April it was decided to raise an army with all possible haste because of anticipated hostile movements from the British troops; and the order was strengthened by the appointment of delegates to "repair to Connecticut, Rhode Island and New Hampshire . . . . to request them to co-operate with us, by furnishing their respective quotas for general defense." On April 15, 1775, a resolve was passed recommending a day of fasting and prayer and, with the provision that the Congress meet again at Concord on the tenth of May unless called together sooner by certain delegates appointed for the purpose, the assembly was adjourned.

This was Saturday. Two days elapsed. The members returned to their homes, unapprehensive of immediate danger. But ominous rumors reached the ears of the committee constituted to provide for an emergency meeting of the Congress, and on April 18, the following summons was sent to each member:

"Sir: Having received certain intelligence of the sailing of a number of troops to reenforce the army under general Gage; this, with the industrious preparations making in Boston for a speedy march into the country, impresses us with the absolute necessity of convening the Provincial Congress at Concord, as soon as may be, agreeably to a vote of Congress, at the last session. We are therefore requested immediately to repair to Concord, as the closest deliberation, and the collected wisdom of the people, at this alarming crisis, are indespensably necessary for the salvation of the country."

RICHARD DEVENS, per order
[delegate from Charlestown]

But although circulated with the greatest speed, probably few of the delegates received the message until the news of

Lexington and Concord had thrown the Province into tumult. On Saturday, April 22 (one week to a day from the adjournment), Congress assembled in Concord, to adjourn at once to Watertown (to be near the army), and on Sunday, while acting upon a letter from General Ward respecting the New Hampshire troops, resolved unanimously "that an army of 30,000 men be immediately raised and established," of which 13,600 were to be supplied by Massachusetts. Some two weeks later accordingly (through the actions of a revolutionary assembly) General Gage found himself a prisoner in Boston, surrounded by nearly 12,000 armed men.

Second Continental Congress (1775)

Closely following these stirring events the second Continental Congress met in Philadelphia on May 10. Massachusetts had been pleased with the former session. Hardly had it adjourned than the first Provincial Congress expressed appreciation for its "wise and able exertions in the cause of American liberty", and appointed five delegates to attend the next meeting. With the exception that John Hancock, a man of great wealth, prominent in Boston politics, president of the first and second Provincial Congresses and a member of the Committee of Safety, replaced the name of Mr. Bowdoin, the representatives were unchanged.

Their influence, as formerly, remained on the side of vigorous measures. On the second day of the session, John Hancock laid before the Congress testimony pertaining to the "late engagement between the troops under General Gage, and the inhabitants of Massachusetts bay" as well as a letter from the Provincial Congress respectfully requesting "the direction and assistance of your respectable Assembly."

John Adams was there to encourage the laggards and to inspire the eager. He advised recommending to the people of "every State in the Union to seize on all the Crown officers, and hold them . . . . as hostages for the security of the people of Boston". He urged that new governments be at once instituted by the people of the States; that a declaration of independence be immediately issued; that the troops in Cambridge be at once adopted as a Continental Army, and that when these things were done (and not before) negotiations be opened with Great Britain looking towards "a res-

toration of harmony between the two countries, upon permanent principles." If such steps were not successful, there remained another device: alliances should be sought with Europe,—"with France, Spain and any other power . . . . that would contract with us".

But Congress hesitated. Committees were appointed to draft further petitions and remonstrances,—one to the King, one each to the inhabitants of Great Britain, Ireland and Jamaica, and one to bring in an estimate of the money to be raised to prosecute the war. John and Samuel Adams were on the committee to address the people of Ireland, and Thomas Cushing on the monetary committee. The action of Massachusetts in opposing George III received the hearty approval of the delegates, and the establishment of an Assembly and Council was urged "until a Governor, of His Majesty's appointment, will consent to govern the colony according to its charter."

Martial preparations were continued. The colonies of New Hampshire, Rhode Island and Connecticut as well as the "interior towns of Massachusetts bay" were earnestly advised to furnish the American army before Boston with all the powder that they could spare, and six companies of riflemen were ordered to join the army near Boston. On June 16 the president (John Hancock had been unanimously chosen to this post on May 24, when Peyton Randolph was called home to Virginia) informed "George Washington Esqr. that he had the order of the Congress to acq[ain]t him, that the Congress had by a unanimous vote made choice of him to be general and com[mander] in chief to take the supreme command of the forces raised . . . . in defense of American liberty".

The General, while expressing modesty in so trying an engagement, pursuant to an order of the Congress that he "repair with all expedition to the Colony of Massachusetts Bay, and take charge of the army of the United Colonies," arrived in Cambridge July 2 to discharge the great duty imposed upon him.

Even these preparations, however, were too conservative for John Adams. While enthusiastic over the appointment of Washington, "the modest and virtuous, the amiable, generous, and brave;" he still found occasion to write to his wife that America was like a large fleet sailing under convoy—

"the fleetest sailors must wait for the dullest and slowest." Events, nevertheless, were moving with increasing rapidity. Benedict Arnold had called the attention of Joseph Warren and the Committee of Public Safety to the military truth that the important stronghold of Ticonderoga could not last an hour against a vigorous attack. At daybreak of May 10, Arnold, in conjunction with Ethan Allen and some one hundred and seventy men (most of whom were from Pittsfield, Massachusetts), entered the gates of the old fort and overpowered the astonished guards.

A few weeks later (almost on the same day that Adams was complaining of the slowness of Congress) Abigail Adams was writing to her husband of new and more terrible events in the vicinity of Boston: "Charlestown is laid in ashes. The battle began upon our intrenchments upon Bunker's Hill, Saturday morning, about three o'clock, and has not ceased yet; and it is now three o'clock, Sabbath afternoon."

Preparations for Independence (1775 – 1776)

This was June 18. On July 3, General Washington took formal command of the Continental troops in Cambridge. On the twenty-first, Benjamin Franklin was proposing a plan of colonial confederation to the Congress assembled in Philadelphia,—it was headed *Articles of Confederation and perpetual Union.* On August 23, His Majesty George III issued a formal proclamation declaring a state of rebellion in the Colonies. On November 4, the Continental Congress was advising South Carolina to resist the mother country and "to establish such a form of government as in their judgment will best produce the happiness of the people." On the last day of December came the battle of Quebec; and in January of the new year, Thomas Paine published his stirring pamphlet *Common Sense* which "satisfied multitudes that it is their true interest immediately to cut the Gordian knot by which the . . . colonists have been bound to Great Britain, and to open their commerce, as an independent people, to all the nations of the world."

In the middle of May (1776), Congress recommended that every colony form an independent government, and on June 7, Richard Henry Lee moved: "That these United Colonies are, and of right ought to be, free and independent States

. . . . [and] That a plan of confederation be prepared and transmitted to the respective Colonies for their consideration and approbation." The General Court of Massachusetts had already (May 1) passed an act that on and after June 1 all political authority was to be performed in the name of "The Government and People of the Massachusetts Bay in New England".

June meetings in the Massachusetts towns were, moreover, voting with enthusiasm to sustain a declaration of independence. A town meeting in Taunton (June 3, 1776) announced that if the American Congress should declare independence of Great Britain, the inhabitants "with their lives and fortunes, do solemnly engage to support them in the same". Scituate, Methuen, Hanover, Tyringham, Alfred, Norwich, Palmer, and Acton as well as many other communities gave similar assurance of their allegiance, often justifying their position by a studied statement of their grievances.

The Part of Massachusetts in the Declaration of 1776

In Congress such sentiments were worthily reflected. Elbridge Gerry "laid out his whole soul" in furtherance of the resolution introduced by Lee. One of his colleagues informs us, indeed, that "There was an honesty and sincerity about him that was better than the thunder of Demosthenes." Years afterwards, Jefferson assured Daniel Webster that Adams was "our colossus on the floor". Lacking, perhaps, the grace and fluency of other speakers, "he yet came out with a power both of thought and expression, which moved us from our seats."

It was he who, with what may be supposed was ill-concealed eagerness, rose to second the resolution that both his colleagues and his constituents had so long hoped for; and while his part in the ensuing debates are lost to us, Webster in his famous eulogy of Adams and Jefferson wrote eloquently what well might have been his words:

"Sir, before God, I believe the hour is come. My judgment approves this measure, and my whole heart is in it. All that I have, and all that I am, and all that I hope, in this life, I am now ready here to stake upon it; and I leave off as I began, that live or die, survive or perish, I am for the Declara-

tion. It is my living sentiment, and by the blessing of God it shall be my dying sentiment, Independence *now*, and INDEPENDENCE FOR EVER."

The committee appointed to draft the declaration consisted of Jefferson, Adams, Franklin, Sherman and Robert R. Livingston; but when the articles were decided upon, a sub-committee consisting of Jefferson and Adams was appointed to "draw them up in form". This, at least, is Adams's version. Jefferson tells us, however, that he alone was designated to draft the document, but before reporting it to the committee he submitted it to both Adams and Franklin for their corrections. At all events, the report was made to the Congress on June 28, considered on July 1, passed on the second by a vote of twelve colonies, and on the fourth received the signatures of the delegates. On the eighteenth it was read publicly from the balcony of the State House in Boston in the presence "of a vast concourse of the citizens"; and after a great parade and general rejoicing the "king's arms were taken down, and a public dinner given on the occasion."

PROVINCIAL GOVERNMENT IN MASSACHUSETTS (1775)

July 19, 1775, the third Provincial Congress concluded its sessions. At the best it was an expedient to deal with necessary matters that, because of the irregularity of the times, would otherwise have gone unattended. As early as the summer of 1774, proposals had been made to utilize the old colonial charter of the seventeenth century, or the provincial charter of 1691, as the basis for a constitution adequate for the rapidly developing commonwealth.

A memorial was sent to the Continental Congress (May 16, 1775) stating these conditions and asking advice. It was read before that body June 2, 1775, and a few days later a reply was made suggesting a conformance "as near as may be, to the spirit and substance of the charter", and recommending the election (upon the initiative of the Provincial Congress) of Representatives from the various towns, who in turn were to elect councillors. The two bodies thus formed were thenceforth "to exercise the powers of Government, until a Governor, of his Majesty's appointment, will consent to govern the colony according to its charter."

Acting upon this advice, the necessary arrangements were made, the elections held, and the representatives thus chosen assembled in Watertown on the appointed day. The Provincial Congress in the meantime continued its sessions,—indeed, it was still sitting on the morning of July 19 when the new congress convened. The strict continuity as well as the harmony that accompanied the change to the new government is shown in the last order before dissolution which, upon providing a committee to consider a minor financial matter, required that "in case they cannot report to this Congress, to make report to the next House of Representatives." It was this assembly that guided Massachusetts through the trying months of the fall and spring of 1775 and 1776, as well as through the succeeding years to the establishment of the commonwealth constitution in 1780.

Massachusetts Delegates to the Continental Congress (1774–1782)

The leadership of Massachusetts in active operations in the field, in the colonial Assembly, and in the Continental Congress was set forth in the delegates who for eight years represented the Colony in Philadelphia.

1774

John Adams
Samuel Adams
Thomas Cushing
Robert Treat Paine

1775

John Adams
Samuel Adams
Thomas Cushing
John Hancock
Robert Treat Paine

1776

John Adams
Samuel Adams
Elbridge Gerry
John Hancock
Robert Treat Paine

1777

John Adams
Samuel Adams
Francis Dana
Elbridge Gerry
John Hancock
James Lovell
Robert Treat Paine

From a print

Courtesy of Mr. Frank W. Bayley

ELBRIDGE GERRY

1778
Samuel Adams
John Adams
Francis Dana
Elbridge Gerry
John Hancock
Samuel Holten
James Lovell
Robert Treat Paine

1779
Samuel Adams
Francis Dana
Timothy Edwards
Elbridge Gerry
John Hancock
Samuel Holten
James Lovell
George Partridge

1780
Samuel Adams
Elbridge Gerry
John Hancock
Samuel Holten
James Lovell
George Partridge
Artemas Ward

1781
Samuel Adams
Elbridge Gerry
James Lovell
Samuel Osgood
George Partridge
Artemas Ward

THE PERSONNEL (1774 – 1781)

Besides those leaders who have been mentioned in connection with the first Continental Congress, the above list contained important names. Elbridge Gerry of Marblehead was known as one of the wealthiest and most enterprising merchants in the Province. He began his political career as a member of the Assembly, served prominently in the Provincial Congress, for some nine years (save for slight intervals) sat in the Continental Congress, and later in the Constitutional Convention of 1787. Francis Dana (born in Charlestown), graduated from Harvard College (1762), studied law in Boston, was admitted to the bar in 1767 and served actively in the political assemblies of the period. His later life was to be occupied by extensive public service in foreign capitals, and marked by one of the most distinguished juristic careers of his period.

James Lovell was from Boston. A Harvard man (class of 1756), he taught in his father's school in Boston until the siege, was taken to Halifax by the British upon the evacuation, was subsequently exchanged, and served in the Continental Congress from December, 1776, until the beginning of the Confederation. Samuel Holten was born in Danvers. With extensive public services as a member of the General Court,

New Jersey and Delaware followed; but Maryland refused her consent, and around this refusal there developed an important controversy of significance to Massachusetts.

There were three phases of the plan that particularly aroused argument: first, the question of apportioning taxation according to population; second, the arrangement whereby each state was to have one vote in the proposed Congress, and third, the plan to confer upon the governing authority the power to alter state boundaries.

John Adams presented his views of the issues as follows: "If a Confederation should take place," he wrote to Mrs. Adams, "one great question is, how we shall vote. Whether each colony shall count one? or whether each shall have a weight in proportion to its number, or wealth, or exports and imports, or a compound ratio of all? Another is, whether Congress shall have authority to limit the dimensions of each colony, to prevent those, which claim by charter, or proclamation, or commission to the south sea, from growing too great and powerful, so as to be dangerous to the rest?"

Just what was said in the Congress or what action was taken on each point under discussion is not certain. No verbatim records of the debates were officially preserved; but both John Adams and Thomas Jefferson made notes concerning many important points. In addition, a few scattered notes were made by other members, and the *Secret Journals of the Acts and Proceedings of Congress* afford still further information. But the delegates from Massachusetts were as active and as influential as they had previously been; and in the preliminary debates in the summer of 1776, as well as in these of the next year, did much to shape the final result.

John Adams as a Foreign Envoy (1775 – 1778)

That French money was helping the situation in Massachusetts was due partly to the initiative of John Adams. As far back as November 29, 1775, the Continental Congress had appointed a committee of five members (Benjamin Harrison, Benjamin Franklin, Thomas Johnson, John Dickinson, and John Jay) "for the sole purpose of corresponding with our friends in Great Britain, Ireland, and other parts of the world". It appeared to this committee that the Congress

should have an agent in France to "sound out" its government in the direction of more positive support; and Silas Deane, delegate from Connecticut, was accordingly selected for this post. His letter of instructions (written by the versatile Franklin) was dated March 3, 1776, and set forth in detail the carefully guarded steps he was to follow in carrying out his mission. But so important did the work appear, that it seemed unwise to trust so much to one man, and in September of that year, Franklin and Jefferson were selected to join Deane, and upon the withdrawal of Jefferson, Arthur Lee was appointed in his place.

John Adams had been foremost in urging this move. March 1, 1776, he had raised pertinent questions in Congress: "Is it the interest of France to stand neuter, to join with Britain, or to join with the Colonies? Is it not her interest to dismember the British empire? Will her dominions be safe, if Great Britain and America remain connected? Can she preserve her possessions in the West Indies?" The answer seemed obvious, and in considering the possibility of obtaining assistance from France, he stipulated purely "a commercial connection" —nothing more than "a treaty to receive her ships into our ports . . . . our ships into her ports", and to furnish us "with arms, cannon, saltpetre, powder, duck, steel." There was to be no "political connection" nor any agreement that might directly or indirectly subject the Colonies to French authority.

On June 12, 1776, a committee of five (John Dickinson, Benjamin Franklin, John Adams, Benjamin Harrison and Robert Morris) was appointed "to prepare a plan of treaties to be proposed to foreign powers", and a little over a month later, reported what it deemed to be a suitable project. The original draft, with proper forms and certificates appended, was in the handwriting of John Adams, and in content it ranks among the important documents of the period.

It set forth principles which to that time had received scant consideration in any treaty, but which have since been recognized by practically all nations. It defined neutrality better than ever before, and it guaranteed certain privileges to commerce that had not been previously enjoyed. It was strictly commercial, in accordance with Adams's views: "Our negotiations with France ought to be conducted with great caution," he said in his report, "and with all the foresight we

could possibly obtain; we ought not to enter into any alliance which should entangle us in any future wars in Europe."

The plan was read, considered, slightly amended, and on September 17, 1776, received the approval of Congress. On the twenty-fourth of that month, instructions to the American agents were agreed to, charging them to negotiate as far as possible in accordance with the plan proposed. Both Congress and the American agents in Paris were thereupon ready to proceed; and on February 6, 1778, two treaties of the utmost importance were signed,—one a *Treaty of Amity and Commerce*, and the other a *Treaty of Alliance, Eventual and Defensive*, the sole purpose of the latter being (Article 2) the independence of the United States:

"The essential and direct End of the present defensive alliance is to maintain effectually the liberty, Sovereignty, and independence absolute and unlimited of the said United States, as well in Matters of Gouvernement as of commerce."

The personal relations existing among the American commissioners, however, had been far from satisfactory. Franklin's two companions, Silas Deane and Arthur Lee, were not only inferior to him in ability, but less capable of making the social adjustments necessary to harmonious action. Even ignoring the question of ultimate blame, the embarrassments that Deane caused the Continental Congress were sufficient to require his recall (November 21, 1777), and a few days later (November 28) Elbridge Gerry moved the appointment of John Adams in his place.

The news reached Adams while he was engaged in hearing a case before the admiralty court at Portsmouth, New Hampshire. It came with letters urging his acceptance. "I am charged", wrote James Lovell, "by all those who are truly anxious here for the best prosperity of our affairs in France, to press your acceptance of the commission which has this day been voted you. The great sacrifices which you have made of private happiness have encouraged them to hope that you will not allow the consideration of your partial defect in the language to weigh anything, when you surmount others of a different nature. Dr. Franklin's age alarms us. We want one man of inflexible integrity on the embassy". And in spite of a great inclination to remain at home, Adams accepted the appointment and prepared for the journey. He

reached Bordeaux in safety, was received with honors, and arrived in Paris, April 8, 1778.

Here he plunged into his work with eagerness. Desiring as far as possible to keep aloof from the personal animosities that had beset the commission, he turned his attention to introducing more effective methods into the work at hand. He was successful—at least he appears to have stopped some of the more flagrant abuses—but he soon saw that extensive change in the structure of the delegation was necessary if the real difficulties were to be reached. Letters were accordingly written to his friends at home (particularly to Samuel Adams and to Elbridge Gerry) urging the separation of diplomatic and commercial matters and the centering of responsibility in the hands of a single person.

Second Mission of John Adams (1779 – 1781)

Such suggestions (with similar ones from Franklin) were received by Congress with favor, and the result was the abolition of the old commission. Franklin was made sole minister. Lee was sent to Madrid. Provision was made for a consul-general with wide power to settle accounts. But Adams appears to have received no additional appointment. Indeed, he seems to have been quite forgotten. In spite of Franklin's advice to him to await patiently for further orders, he was determined to end what had become a period of practical idleness, and to return home at the earliest time possible. After numerous delays, he arrived in Boston, August 2, 1779.

Next to the French alliance, the most important event in foreign relations was the treaty with Holland, and this was entirely the work of Adams. In September, 1779, Congress selected Adams to negotiate for peace with Great Britain whenever His Majesty's government was willing to become reconciled to existing conditions; and on November 13, Adams was again on the high seas bound for Paris. He arrived in February, 1780, and while awaiting a suitable opportunity to undertake his mission, was directed to negotiate a commercial treaty with Holland,—a task originally assigned to Henry Laurens, captured by the British *en route* to his post.

Upon his arrival in France, Adams encountered difficulty with Franklin as well as with the French Minister of Foreign

Affairs, Vergennes, and his removal to Amsterdam was probably welcome. It was certainly fortunate for his country. After great difficulties throughout some two years of negotiations, he obtained a treaty of commerce particularly valuable as a recognition of independence and as a means of encouraging badly needed loans. Adams was highly elated over his success. In his diary he records a conversation at dinner with some French admirers:

"The compliment of 'Monsieur, vous êtres le Washington de la négociation', was repeated to me by more than one person. I answered, 'Monsieur, vous me faites le plus grand honneur, et le compliment le plus sublime possible.' 'Eh, Monsieur, en vérité, vous l'avez bien mérité.' A few of these compliments would kill Franklin, if they should come to his ears."

Question of Equal Vote in the Confederation (1776 – 1778)

John Adams likewise did much to dispose of the second disputed issue. Article XVII provided that "In determining questions, each colony shall have one vote." This was an extremely delicate matter. The larger colonies had threatened not to enter the confederation at all if their weight were not equal to the number of people that they added to the confederation; while the smaller ones were equally adverse to any arrangement forbidding them an equal vote for the protection of their rights. Many proposals were made to reach an agreement. Franklin was flatly in favor of voting in proportion to numbers. Arthur Middleton of South Carolina thought the vote should be arranged in proportion to what each state paid to the common treasury. Roger Sherman of Connecticut felt that the Congress was designed to represent *states,* and not *individuals,* and suggested that the vote be taken in two ways,—call the colonies and call the individuals and the majority of both be made necessary to a choice.

John Adams came out strongly in opposition to the original article and in favor of "voting in proportion to numbers." Jefferson records his remarks to have been that, "we stand here as the representatives of the people, that in some states the people are many, and in others they are few; that there-

fore their vote here should be proportioned to the numbers from whom it comes . . . . A. has £50 B. £500 and C £1000 in partnership, is it just that they should equally dispose of the monies of the partnership?" In the revision of August 20, the text of the article remained unaltered except that "state" was inserted in place of "colony." Indeed, the question was destined to plague the government throughout the intervening years until the Constitutional Convention of 1787 settled it through the famous compromise of equal representation in the Senate and proportional in the House.

Apportioning the Taxes

In the meantime, the Articles of Confederation were being extensively debated. Article XI of the proposals for a confederation, as reported in the first draft of the committee on July 12, 1776, provided that all charges incurred for the common defense or general welfare should be defrayed from a common treasury "which shall be supplied by the several colonies in proportion to the number of inhabitants of every age, sex, and quality, except Indians not paying taxes . . . ." To this there was serious objection from the southern states. Samuel Chase of Maryland moved that quotas should be fixed, not by the number of inhabitants of every kind, but on the basis of the "white inhabitants." He seemed to believe that inhabitants were a "tolerably good criterion" of property, negroes were a *kind* of property, and could not be distinguished from lands or personalities held in those states where there were few slaves.

John Adams stood fast as one of the principal opponents of this view. To the argument of Chase he replied that the number of people was simply taken by the article as an index to the wealth of the state, and not as subjects of taxation as Mr. Chase asserted. So far as the matter of taxation was concerned, it was of no consequence whether people were called freemen or slaves, for he could not see that five hundred freemen produced any more profits nor a greater surplus for taxation than an equal number of slaves. It is true that custom more often described a slave as the wealth of his master, than the free laborer as the wealth of his employer,—

"but as to the state both were equally its wealth, and should therefore equally add to the quota of its tax."

Shortly thereafter "Mr. Payne urged the original resolution of Congress to proportion the quotas of the states to the number of souls"; and when the amendment proposed by Chase was voted upon the next day, the arguments of Massachusetts prevailed and the motion was rejected—seven to five. The revised articles of August 20 retained substantially unaltered Article XI of the original draft (numbered Article IX of the new draft).

Adjustment of Votes and Taxes (1778)

Both matters—that is, the apportionment of taxes and equal voting—were, however, only in abeyance. When the debates on the revised articles were again undertaken in the spring and fall of 1777, numerous phases of the same questions were again discussed and passed upon.

October 7, 1777, it was moved that in determining questions Rhode Island, Delaware and Georgia should have one vote, and all other states one for every fifty thousand white inhabitants. The Massachusetts delegates, Samuel Adams, John Adams and Elbridge Gerry, voted negatively, as did eight other colonies, and the motion was lost. It was then moved that each state send one delegate to Congress for every thirty thousand inhabitants, and in determining questions each delegate was to have one vote. To this the vote of Massachusetts was recorded negatively (although John Adams voted in favor) and the motion was again lost. After rejecting a proposal that representation be computed according to taxes levied for the public treasury, the question was put on the article as reported. Ten states approved (Samuel Adams and Elbridge Gerry supported the motion, but John Adams voted negatively) and it was accordingly resolved: "That in determining questions each state shall have one vote."

The question of taxation likewise came up for further discussion October 9; and on the thirteenth it was moved that the proportion of public expense to be borne by each state be ascertained by the value of all property (except household goods and wearing apparel) within each state. The motion was rejected. On the next day another amendment was pro-

posed to make the value of land within each state the basis for tax apportionment. While Massachusetts through its delegates (Samuel Adams, John Adams, Gerry and Lovell) were unanimous in opposition, the motion carried five to four, two states (New York and Pennsylvania) being divided.

Western Land Claims (1776 – 1781)

A third question most vitally affected Massachusetts as well as six other states. Article XVIII of the original draft gave numerous powers to the proposed Congress, among which was that of "Limiting the bounds of those colonies which, by charter or proclamation, or under any pretence, are said to extend to the south sea"; and making provision for their establishment as new colonies. Now in the early days British sovereigns had granted lands with a marvelous disregard for geography, and the charter of the Massachusetts Bay Colony of 1628 indubitably granted an extent "from sea to sea." The early colonial charters of Virginia, Connecticut, the Carolinas, and Georgia likewise contained similar provisions looking toward indefinite western extension.

The remaining colonies had not received such fortunate treatment. In some instances (as in Pennsylvania and Maryland) western boundaries were, on the contrary, definitely limited by their charter provisions; in others, western expansion was made impossible because of the situation of other colonies, as Rhode Island, New Jersey and Delaware. In New York extensive western territories were claimed on nothing more stable than treaties with Indian tribes not resident in the west. When all the claims were ranged in order, six colonies,—Massachusetts, New York, Virginia, North Carolina, South Carolina and Georgia, asserted territorial rights beyond the mountains. But the seven others could not assert such claims.

This state of things had been a cause of disturbance before the Revolution. Suggestions made to the Albany Congress of 1754 tended to limit indefinite boundaries. The royal "proclamation line" of 1763, forbade extension beyond the Alleghanies or Appalachians. The roundly denounced Quebec Act (1774) united all the western territory north of the Ohio

with the province of Quebec. All those acts were evidences of the British attitude. While the Revolutionary War disposed of some of these difficulties, it nevertheless left conflicting grants. Massachusetts and Connecticut claimed strips of territory extending from settled territory on the sea coast indefinitely northward. The claims of both New York and Virginia overspread them in many places and similar conflicts developed in the Southwest.

Land Clause in the Articles (1776–1777)

When Article XVIII of the Articles of Confederation was first under discussion (August 2, 1776), an extensive controversy was opened up. Chase of Maryland denied that any colony had "a right to go to the South Sea." Benjamin Harrison from Virginia stated bluntly that his state obtained its land by charter just as Maryland did, although the charter had gone out of effect in 1624. Samuel Huntington of Connecticut added that "A man's right does not cease to be a right, because it is large." Even Jefferson protested against the power of Congress to decide upon the right of Virginia.

The result was that in the revised draft of the Articles the disputed provision was left out. But when the debates were resumed in the fall, it was moved that in order to render the proposed union "firm and perpetual" it was essential that the limits of each colony be ascertained. It was recommended, therefore, that every state lay before Congress a description of its territorial lands. But the motion was definitely lost, all of the Massachusetts delegates voting against it.

It was next moved that the United States "have the sole and exclusive right and power to ascertain and fix the western boundary of such states as claim to the South Sea." This form of statement was rejected, but the proposition was amended to read: to "fix the western boundary of such states as claim to the Mississippi, or South Sea, and to lay out the land beyond the boundary so ascertained into separate and independent states." This was overwhelmingly rejected, Maryland alone supporting the motion, while all the Massachusetts delegates were on the negative side. November 15, 1777, the final draft of the Articles was agreed to. It con-

tained no provision covering the question of western lands except that Article IX, in providing for settling disputes between states, required "that no state shall be deprived of territory for the benefit of the United States."

Massachusetts Protests on Land Clause (1778)

In the spring of 1778 accessions to the Articles began to arrive in Congress. North Carolina announced her acceptance May 18, 1778. On June 22, an important message was received from Maryland. While proposing minor matters of amendment, the communication concluded with the proposal that after the words "shall be deprived of territory for the benefit of the United States", in Article IX, there should be inserted the words: "the United States in Congress assembled shall have the power to appoint commissioners, who shall be fully authorized and empowered to ascertain and restrict the boundaries of such of the confederated states which claim to extend to the river Mississippi or South Sea."

But the answer was no. Five states supported this proposition; one (New York) was divided; but all the Massachusetts members (Hancock, Samuel Adams, Gerry, Dana, Lovell and Holten) united in a negative vote.

On the same day the main issue came up in new form. The Massachusetts delegates submitted "sundry objections," transmitted to them by their "constituents," and thereupon moved the reconsideration of several articles relating to the lands. The first suggested that the rule of apportionment provided in Article VIII, basing national taxes on land values in the several states, be amended to vary this rule from time to time "until experience shall have showed what rule of apportionment will be most equal." The second was a demand for reconsidering the fifth section of Article IX, providing that each state's quota of troops be based on the number of white inhabitants in such state. The third was aimed against the sixth section of Article IX requiring the assent of nine states to exercise certain designated powers at Congress. Each proposition was voted down; but two of them (the first and third) were destined in time to set up stumbling blocks in the Union.

The Maryland Land Amendment (1778)

One by one the objections of the various states to the Articles of Confederation were considered. On June 26, 1778, the committee appointed to prepare the form of ratification on the Articles reported the final draft. June 27, the engrossed copy (with the form of ratification) was laid before Congress, and the delegates of the respective states were requested to file their powers of ratification with the secretary. By July 9, eight states had signed, and by the following May (1779) all except Maryland had ratified the Articles.

As submitted, the principal objections of the smaller states related to the question of the western lands; but Maryland alone held out for an adjustment of the problem. May 21, 1779, that state filed a document with Congress that deserves to be recorded among the most important in our history. It was in the form of instructions to her delegates, who were to lay it before Congress and have it entered in its journals.

It asked the very pertinent question: "Is it possible that those states who are ambitiously grasping at territories, to which in our judgment they have not the least shadow of exclusive right, will use with greater moderation the increase of wealth and power derived from these territories, when acquired, than what they have displayed in their endeavors to acquire them?" The answer bluntly given was: "We think not." After outlining the evil results that might develop from certain states having such a preponderance of territory, the conclusion was expressed that land wrested from the common enemy should properly be considered common property, and instructions were issued to the delegates not to agree to confederation unless an article was inserted to conform with this declaration.

Land Cessions by the States (1780–1802)

Apparently only one course was open; the union could not be completed without the voluntary relinquishment of at least a part of the western claims. Therefore (September, 1780) Congress urged "a liberal surrender of a portion of their territorial claims, since they cannot be preserved entire without endangering the stability of the general confederacy." New York (whose claims based on Indian treaties with the

Iroquois were flimsy) had led the way the preceding February. Within the next decade all of the states except Georgia, whose action was delayed until 1802, followed this example. In April, 1785, the delegates from Massachusetts (Samuel Holten and Rufus King) executed a deed of cession of all claims west of New York, and the Congress resolved "in behalf of the United States. . . .to accept all the right, title, interest, jurisdiction and claim of the state of Massachusetts, to certain western lands described in the form of a deed of cession, in the words following it, to wit:"—and here was described the long disputed territory.

In 1786 Massachusetts, partly through the aid of Congress and partly through its own agents, came to an agreement with New York, ceding jurisdiction, but retaining ownership over certain lands in western New York. Thereupon, claims to all the residue formerly held were relinquished. The retained lands were sold in 1787, and brought the state treasury one million dollars; and in the same year the boundary line between Massachusetts and New York was finally adjusted.

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CHAPTER VII

THE STATE CONSTITUTION (1777–1780)

By Gaspar G. Bacon
President of the Massachusetts Senate

Preliminary Steps (1774–1777)

The Commonwealth of Massachusetts was the last of the original thirteen states to adopt a written constitution. Virginia was the first, in May, 1776. Closely following Virginia came other states. In Rhode Island and Connecticut, the legislatures continued in effect for several years the governments established under their royal charters. Nevertheless, nearly two years before the action of Virginia, Massachusetts took steps in establishing a government of her own. June 17, 1774, came the critical step when the House of Assembly, as described in the previous volume of this series, provided for a provincial house of representatives to take the place of the General Court, which was never again convened under the provisions of the royal charter.

This provincial Assembly and a Committee of Safety guided the affairs of the Commonwealth during the following critical year. May 16, 1775, at the suggestion of General Warren, the Assembly requested the advice of the Congress at Philadelphia upon the best method of exercising the powers of civil government. June 9, the Congress advised the colony to elect a new Council and clothe it with the executive power "until a Governor of His Majesty's appointment would consent to govern according to its charter." June 19, a call was issued for the election of a provincial assembly, and July 19, only thirty days later, it convened at Watertown. It proceeded at once to elect a new Council, endowed it with both legislative and executive powers, and chose James Bowdoin as its president. This was the government under which the affairs of

the colony were directed and controlled until the first constitution went into effect October 25, 1780.

The demand for a new State constitution originated in Berkshire County, "which, on account of its poverty and remoteness, was more alive to the defects of the Provincial system than any other section of the state." It was led by the Reverend Thomas Allen of Pittsfield, a fighting parson who himself fired the first shot of the Battle of Bennington. May 29, 1776, the town of Pittsfield sent a memorial to the General Court, insisting that the old charter and compacts were dissolved by war, and requesting the General Court to frame "a fundamental constitution as the basis and framework of legislation," and refer it to the people for their approbation.

The House requested the towns to vote (September 17, 1776), whether or not they wished it to go into convention with the Council to frame a constitution, and whether they wished it made public for the "inspection and perusal of the inhabitants before the ratification thereof by the Assembly." Less than half the towns voted. A majority of those voting were willing that the General Court should frame a constitution; but considerable sentiment, notably from the towns of Concord and Acton, favored the principle that a constitution should be framed not by the legislature but by a convention of delegates elected for that purpose alone. For instance, at a meeting of the Inhabitants of the Town of Concord, October 22, 1776, it was resolved, as herewith reproduced, that "the Supreme Legislature, either in their Proper Capacity, or in Joint Committee, are by no means a Body proper to form and establish a Constitution or form of Government."

The Legislative Convention (1777 – 1778)

It was further resolved that "A Convention or Congress be immediately chosen to form and establish a Constitution, that when the Convention or Congress have formed a Constitution they adjourn for a short time, and publish their proposed Constitution for the inspection and remarks of the inhabitants of this State, and that the Honorable house of assembly be desired to recommend it to the inhabitants of

the state to proceed to choose a Convention or Congress for the purpose aforesaid as soon as possible."

Accordingly, by a resolve of May 5, 1777, the General Court made a second request to the towns, this time that they definitely instruct their representatives to the next General Court to form with the Council a Constitutional Convention. Some of the towns, and Boston in particular, refused to grant this request. The General Court, however, ignored these protests, resolved itself into a Constitutional Convention on June 17, 1777, and appointed a committee to draft a Constitution. The committee reported in December. In January, 1778, the House and Council went into convention again to discuss the committee's report, and on February 28, approved and accepted the draft presented. It was forthwith submitted to the people as a whole, adoption to take effect only by a two-thirds majority. This was the first American State Constitution to be formally submitted for popular approval.

The Constitution thus submitted to the people was rejected by the decisive vote of 2083 yeas to 9972 nays, approximately only one sixth of those voting favoring it. This result was to a large extent brought about by the publication of a remarkable pamphlet called the "Essex Result," written by a young lawyer of Newburyport named Theophilus Parsons, later destined to become a great chief justice of the Massachusetts Supreme Court. This pamphlet was adopted by a convention of delegates from the towns of Essex County assembled at Treadwell's Tavern, April 29, 1778 in Ipswich, and adjourned May 12, 1778. It not only points out in detail the defects in the Constitution of 1778, but sets forth "the true principles of government" upon which a Constitution should be founded.

The Essex Result (1778)

The "Essex Result" starts with the enumeration of eighteen specific objections to the proposed Constitution. These objections go to the root of representative government and illustrate how profound was the grasp of the men of those times upon fundamental constitutional principles. One glaring defect in the instrument submitted was the absence of a Bill of Rights. It was accordingly voted by the Essex Convention "that a bill of rights, clearly ascertaining and defining

the rights of conscience, and that security of person and property, which every member in the State hath a right to expect from the supreme power thereof, ought to be settled and established, previous to the ratification of any constitution for the state."

The chief reason, however, for the defeat of this Constitution was the widespread belief that an organic instrument of government could emanate only from a convention consisting of delegates chosen for the sole purpose of framing such an instrument and not from a body of representatives who had other duties to perform.

Another fundamental objection to the proposed Constitution upon which great stress was laid by Parsons throughout the pamphlet was the lack of a proper separation of the powers of government. "The executive power in any State," he said, "ought not to have any share or voice in the legislative power in framing the laws." "The twenty-second article is exceptionable, because the supreme executive power is not preserved distinct from, and independent of, the supreme legislative power."

In addition to the specific objections to the various articles of the Constitution under consideration, the Essex pamphlet contains an exposition of fundamental principles, which not only had a marked influence on the deliberations which led up to the final adoption of a Constitution for Massachusetts two years later, but served as a model for guidance in the great debates of the Federal Constitutional Convention of 1787. The theory of popular government and natural rights is therein carefully expounded. Those rights which are alienable "may be parted with for an equivalent. Others are inalienable and inherent, and of that importance, that no equivalent can be received in exchange." As to the kind of government, "a republican form is the only one consonant to the feelings of the generous and brave Americans."

The legislative power must not only be independent, but to safeguard it further "it must not be trusted with one assembly." For "a single assembly is frequently influenced by the vices, follies, passions, and prejudices of an individual." It should be divided into two branches, one to represent the people at large, among whom "we shall find the greatest share of political honesty, probity and a regard to the interest of the

whole;" the other branch to represent the property of the state, and to give a share in government to "gentlemen of education, fortune and leisure," among whom "we shall find the largest number of men, possessed of wisdom, learning, and a firmness and consistency of character." If each House has an equal voice, no law can be passed without the consent of a majority of "those members who hold a major part of the property," as well as a majority of the persons in the state. A Senate, furthermore, will be able to revise "crude and hasty determinations of the House."

Appeal is made for a strong executive, with power to negative all laws, and a "privy council" to advise him. "Let him not choose them himself, for he might then if wickedly disposed, elect no persons who had integrity enough to control him by their advice. The house shall choose by ballot seven out of the Senate."

"Let the judges of the common law courts; of the admiralty, and probate, and the register of probate, be appointed by the Governor and privy council; let the stipends of these judges be fixed; and let all those officers be removable only for misbehavior. Let the Senate be the judge of that misbehavior, on impeachment of the house."

Doctrine of Separation of Powers

It was urged that the proposed Constitution was a confused mingling of the executive and legislative departments of government. The teachings of Montesquieu had not been heeded. The Governor and Lieutenant Governor, for instance, were to be members of the Senate, the Governor, its presiding officer. Vacancies in the Senate were to be filled by the House. No veto power was given to the Governor. No provision was made for an Executive Council.

Throughout the pamphlet the doctrine of complete separation of powers is emphasized. At this memorable meeting of the men of Essex, held nine years before the convention met which adopted the federal Constitution, the principles of checks and balances was clearly set forth. "These three powers (executive, legislative and judicial) ought to be in different hands, and independent of one another, and so balanced, and each having that check upon the other, that their inde-

pendence shall be preserved." "Should the executive and legislative powers be united, mischiefs the most terrible would follow. . . . Should the executive and judicial powers be united, the subject would then have no permanent security of his person and property."

One other principle deserves mention, particularly in the light of the controversy which was two years later waged over Article III of the Declaration of Rights. The question of religion was an important one among the colonists. The proposed Constitution restricted the holding of political or judicial office to Protestants. In the "Essex Result" this inhibition was condemned, for, as it stated, "the free exercise and enjoyment of religious worship is the natural and uncontrollable right of every member of the state."

The exposition of fundamental principles presented in this pamphlet, which was printed and distributed throughout the State of Massachusetts and affected materially the course of political events, was a learned treatise on the science of government. It showed a keen insight into practical problems which had been confronted in the ancient nations of Europe. Looking back now over a hundred and fifty years we cannot but be impressed by the political wisdom of Theophilus Parsons and the men of Essex County.

The Convention Called (1778–1779)

There was, however, continued demand, particularly from the western part of the state, for a special convention to form a Constitution. Thus, on August 26, 1778, a convention of delegates from eighteen towns was held at Pittsfield and a petition to this effect was sent to the General Court. If this appeal should not be granted, they said, they would petition the Committee of Safety, and if given no satisfaction by them, they suggested that "there are other States, which have Constitutions who will we doubt not, as bad as we are, gladly receive us."

The rejection of the Constitution of 1778 and the consequent doubt of the House of Representatives as to "what are the sentiments of the major part of the good People of this State, as to the expediency of now proceeding to form a new Constitution of Government," prompted the House to resolve,

on February 19, 1779, that the Selectmen of the several towns cause the inhabitants thereof duly qualified to vote for representatives to meet together on or before the last Wednesday of May, 1779, to determine two questions: first, "Whether they choose, at this time, to have a new Constitution or Form of Government made"; and second, whether, if the vote on the first question is in the affirmative, "they will empower their Representatives for the next year to vote for the calling a State Convention, for the sole purpose of forming a new Constitution." The Council concurred in this resolve on the day following.

Although nearly half the towns neglected to answer, a majority of those towns voting on both questions was in the affirmative. Essex, Barnstable and the Maine counties were opposed; but Boston and the three western counties of Worcester, Hampshire, and Berkshire were strongly in favor. The General Court accordingly on June 17, 1779, passed a resolve directing "the Selectmen of the several Towns and Places within this State" to call a meeting of their respective Towns to elect delegates to a convention to be held at Cambridge on September 1 next, at which meeting "every Freeman, Inhabitant of such town, who is twenty-one years of age, shall have a right to vote."

The resolve further recommended that the delegates be instructed to submit the Constitution which they may agree upon to the male inhabitants of each town, "being free and twenty-one years of age," to be approved or disapproved by them. It will be observed that the franchise both for the selection of delegates and for ratification of any Constitution submitted was wider than for the election of representatives to the House, for in the latter case a property qualification was required. The constitution, on the other hand, was to be adopted or rejected by the suffrage of all the adult male inhabitants.

June 17 is an important date in the history of Massachusetts. On June 17, 1774, the first step for self-government was taken at Salem; on June 17, 1775, the Battle of Bunker Hill was fought; and on June 17, 1779, was put into effect the beginning of the process for the establishment of a genuine and permanent State government. It took a year and a quarter after the last date to complete the result; so that over

six years elapsed between the preliminary step and the final accomplishment.

Preliminaries of the Convention (1779)

The Convention duly assembled on September 1, 1779, at the old Meeting House of the First Church in Cambridge, the site being now marked by a tablet in Harvard Square. On the opening day 293 delegates presented their credentials. At the second session, on October 28, 1779, after adjournment, 19 others were added, so that the total number was 312. They included the first citizens of Massachusetts, in fact, all the leaders who were not in the military service or in some other governmental capacity were present. Among them were James Bowdoin of Boston, who was elected president of the Convention; John Adams of Braintree; Samuel Adams, John Hancock, Samuel Otis, and John Lowell, of Boston; Increase Sumner of Roxbury; John Pickering, William Pickman, and Henry Higginson of Salem; Theophilus Parsons of Newburyport; George Cabot of Beverly; Levi Lincoln of Worcester; Caleb Strong of Northampton; Judge William Cushing of Scituate; Robert Treat Paine of Taunton; James Sullivan of Groton; Nathaniel Gorham of Charlestown; and others of ability and distinction. It was a gathering of eminent men.

After the acceptance of credentials and the adoption of the rules of the Convention prepared by a committee composed of Pickering, Gorham, Sullivan, Goodman and Dawes, a committee of thirty-one, four at large and twenty-seven named by the county delegations, was chosen to draft "a Declaration of Rights and the Form of a Constitution," to be laid before the whole body. On September 7, the Convention adjourned to give this committee time to prepare its report. The general committee delegated its duties to a subcommittee of three consisting of James Bowdoin, Samuel Adams and John Adams. This subcommittee entrusted the task entirely to John Adams.

John Adams (as will be seen in the chapter describing his life and services) was then at the height of his powers and recognized as a leading authority on the science of government. He had taken a prominent part in the provincial government, in the Continental Congress, and as minister to

France. His advice had been sought in the framing of other state constitutions. He was highly equipped as a lawyer, had had much experience as a practical politician, and was possessed of a clear legal style.

The Declaration of Rights (October 28 – November 11, 1779)

The Adams draft of the Constitution was presented to the convention when it reconvened on October 28, 1779. At this session, which lasted only fifteen days, the discussion was largely on the Declaration of Rights, and particularly on Article III thereof which dealt with religion. This article was not the work of John Adams. He wrote to a friend several years later: "The article respecting religion was the only article which I omitted to draw." It provoked such an extensive debate that finally it was referred to a special committee of seven composed of Theophilus Parsons, Robert Treat Paine, Samuel Adams, Caleb Strong, Timothy Danielson, a leading citizen of western Massachusetts, Reverend David Sanford, of the Second Congregational Church in Medway, and Rev. Noah Alden, of the First Baptist Church in Bellingham. Three days later this committee reported a new draft. November 10, the convention, after having defeated a motion to strike out the whole article, formally adopted this report, with only slight changes.

Twenty-seven of the original thirty-one articles of the Declaration of Rights were accepted at this session, some of these only after discussion and alteration. Final action on the remaining articles was not taken. The Declaration of Rights as adopted contains thirty articles rather than thirty-one, due to the fact that Article XIV of the original draft is incorporated in Article XII of the final draft.

On November 11, 1779, the attendance having fallen to one third of its members, the convention adjourned to January 5, 1780. John Adams sailed on a mission to France immediately after adjournment, and did not return until after the Constitution had been adopted. Those remaining until the end of this session directed the president to publish in the newspapers a notice enjoining upon the members, "from its necessity and importance, a constant and general attendance accordingly."

Body of the Constitution (January 5 – March 2, 1780)

The winter of 1780 was unusually severe. The cold was so intense and the snow so deep that travelling was "excessive bad." Hence only a few members were present on the opening day. It was not until January 27, 1780, by vote of forty-two out of sixty members, that the convention proceeded to business. Only forty-seven towns were at that time represented, thirty-three of them in the counties of Suffolk, Essex and Middlesex. The three Maine counties were not represented; neither were the counties of Plymouth, Barnstable, Nantucket and Dukes.

From that day until March 2, 1780 the Journal of the Convention is filled with numerous motions, votes and reports of subcommittees on the various clauses of the Constitution; and it is evident that the few members that did attend considered the substance and the phraseology of the different provisions with minute care. The highest vote recorded in the Journal was 82, on February 16.

Method of Ratification (1780)

On March 2, 1780, after a committee of five had reported recommending a method of securing the ratification of the constitution by the people, it was resolved that the convention adjourn to the first Wednesday in June next; that 1800 copies of the Frame of Government which shall be agreed upon be printed and be sent to the selectmen of each town and the committees of each plantation, to be laid before the inhabitants thereof; and "if the major part of said Inhabitants disapprove of any particular part of the same, that they be desired to state their objections distinctly and the reasons therefor;" that these votes be sent back to the convention for tabulation "in order that the said convention, at the adjournment, may collect the general sense of their constituents on the several parts of the proposed Constitution. And if there doth not appear to be two thirds of their constituents in favour thereof, that the convention may alter it in such manner as that it may be agreeable to the sentiments of two thirds of the voters throughout the state."

The general purpose of this rather involved method of ratification was to give the people not solely the opportunity to

vote on the Constitution as a whole, for that might have meant rejection as it did in 1778; but the right to discuss every separate article and state their objections, if any, to each one. This opportunity to air their views gave to the towns, which were jealous of authority and reluctant to part with any prerogatives, the feeling of direct participation in the formation of their own instrument of government, and turned what otherwise might have been a hostile attitude into a real desire to evolve something constructive. The authority requested by the convention in this resolve of March 2, 1780, was not simply to put the Constitution into effect if two-thirds of the people voted in the affirmative; but to amend it in accordance with the designated wishes of two-thirds of the people and declare the Constitution thus amended to be in effect without further approval. When we consider the variety of objections which were registered, many of them involved and without skill or grace in phraseology, susceptible to different interpretations, some of them fantastic and unintelligible, to thus delegate to their representatives the power to reduce the text to a concrete final form without resubmission to the people was a large concession on the part of the towns.

The Address of the Convention (1780)

With a Form of Constitution thus agreed to by the delegates, the problem was to acquaint the people with its provisions and persuade them either to ratify it as a whole or suggest alterations to it. The Constitution of 1778 having been decisively rejected, the delegates were under no misapprehension as to the difficulties of this task. Accordingly a committee of seven, of which Samuel Adams, Parsons, Lowell and Sullivan were the most prominent members, was authorized to prepare an Address of the Convention to their Constituents. This was considered carefully, revised in convention, and the delegates voted to have it signed by President Bowdoin and distributed with the Form of Constitution. "Having had your Appointment and Instruction", they said in the Address, "we have undertaken the arduous Task of preparing a Civil Constitution for the People of the Massachusetts-Bay; and we now submit it to your candid Consideration. It is your *Interest* to revise it with the greatest Care and Cir-

Original, by Robert Feke, Bowdoin College
Courtesy of Society for the Preservation of New England Antiquities

GOVERNOR JAMES BOWDOIN

cumspection, and is your undoubted *Right,* either to propose such Alterations and Amendments as you shall judge proper, or, to give it your own Sanction in its present Form, or, totally to reject it." The delegates realized only too well that there would be formidable opposition to any proposed constitution. They stated with complete frankness that disagreements were inevitable, but they proceeded to make an argument and an appeal alike cogent and on a high plane. They conceded that it is not the lot of mankind to agree to a perfect system of government, but they urged the yielding of individual opinions and smaller considerations to essential principles and the general good. The tenor of the Address merited the observation in the report of the town of Medway that it was "not onely Polite but very Plosible." "It is," says Morison, "a clear, succinct exposition of the same school of political thought that produced the Essex Result, the Federal Constitution, and the *Federalist.*"

In addition to the distribution of the eighteen hundred copies of the Constitution and the Address to the Towns, and explanations thereof by the delegates to their own constituents, apparently little effort was made to bring this subject matter to the attention of the people. Strangely enough, according to Prof. Morison, not one of the six newspapers then published in Massachusetts (The *Boston Gazette, Independent Chronicle, Continental Journal, Independent Ledger,* and *Evening Post,* and the Worcester *Massachusetts Spy*) published the text of the Constitution. "The only discussion of it in their columns was a series of controversial articles between two members of the Convention, largely relating to Article III, a few letters from the Rev. Isaac Backus and Dr. William Gordon, and a few reprints of town returns."

Response of the Towns (1780)

In spite of this inadequate publicity, the people in their various town meetings showed an unusual interest in the questions of government raised and a wide range of political thought. In the reports returned, the vigor and breadth of their views were striking. That they gave such attention to their form of government is all the more significant when we consider that the spring of the year 1780 found the col-

onists in desperate straits. The expedition of 1779, elsewhere described, to drive the enemy out of Maine resulted in complete disaster. The people were loaded down with heavy debts. Congress was practically bankrupt. Our French allies had not yet arrived. Washington was at a standstill on the Hudson, begging for men, clothing and money, his fragmentary army suffering from sickness and lack of supplies. The Tories were acquiring recruits; the enthusiasm of the patriots was at a low ebb.

In spite of this dark condition of affairs, the towns responded to the request for comments on the Constitution to a surprising extent. The Massachusetts Archives contain returns from one hundred eighty-eight towns, and there were undoubtedly others. They differ greatly in form and substance, ranging from a brief tabulation of the votes cast to a lengthy exposition on general political principles. "Defective in grammar and crude in expression," says Morison, "these returns show a grasp of the fundamental principles of government, an insight into the particular problems of Massachusetts, a critical and constructive faculty, that compare favorably with the work of the famous leaders of revolutionary thought. They anticipated, in fact, most of the amendments that were made to the Constitution of Massachusetts during the next seventy-five years." Only a few towns that made returns voted on the Constitution as a whole.

The method of taking action varied. In Gloucester, for instance, "the Constitution was read, and those for accepting were desired to walk around the Meeting House to the Eastward and those against to walk the other way—48 walked to Eastward, none the other way." In general, the western counties responded better than the eastern, and those of Maine least of all. Yet in Boston there were 887 votes out of a total population of about ten thousand. This must have been a large proportion of those then possessed of the suffrage. It was the highest numerically, and almost the highest proportionally, in the State. In Biddeford, Maine, only 10 out of a population of 1,006 voted, yet at the foot of the return is the hopeful statement, "Ten men may save the City." The total number voting was about 16,000 out of an estimated population of 360,000 of whom not more than 25,000 could then have had the right to vote.

The Article on Religion (1780)

Of the great variety of objections to the Constitution, those made to Article III of the Declaration of Rights, dealing with religion, were the most divergent and the most severe. This article had provoked much discussion in the convention.

In substance it provides that the legislature shall authorize and require the several towns, parishes, precincts, and other bodies-politic, or religious societies, to raise the necessary funds "for the institution of the public worship of GOD, and for the support and maintenance of public Protestant teachers of piety, religion and morality;"

"That the legislature is authorized to enjoin upon all an attendance upon the instructions of such public teachers;

"That the several towns and other bodies politic shall have the exclusive right of electing their public teachers;

"And all monies paid by the subject to the support of public worship, and of the public teachers aforesaid, shall, if he require it, be uniformly applied to the support of the public teacher or teachers of his own religious sect or denomination, provided there be any on whose instructions he attends; otherwise it may be paid towards the support of the teacher or teachers of the parish or precinct in which the said monies are raised.

"And every denomination of Christians, demeaning themselves peaceably, and as good subjects of the Commonwealth, shall be equally under the protection of the law: And no subordination of any one sect or denomination to another shall ever be established by law."

In the address, the delegates, foreseeing the probability of opposition, tried to justify it and explain its purport. "In the third article," they said, "we have, with as much Precision as we were capable of, provided for the free exercise of the *Rights of Conscience*....We are very sensible that our Constituents hold those Rights infinitely more valuable than all others; and we flatter ourselves, that while we have considered Morality and the Public Worship of God, as important to the happiness of Society, we have sufficiently guarded the rights of Conscience from every possible infringement. This Article underwent long debates,...and we feel our-

selves peculiarly happy in being able to inform you, that though the debates were managed by persons of various denominations, it was finally agreed upon with much more Unanimity than usually takes place in disquisitions of this Nature."

The Religious Issue (1780)

To comprehend the effect of this Article requires a knowledge of the religious system of Massachusetts then in force. Under that system, every town was obliged to secure an "able, learned, orthodox" minister and provide him with a salary and meeting house. This meant that in 1780 every Massachusetts town was required to have a Congregational Church. Where more than one church existed, the Congregational was always the oldest, and the courts held (Oaks v. Hill, 10 Pickering 333) that every citizen, unless he expressly joined some other church, belonged to the oldest religious society in his town. Hence the Congregational Church received the taxes of all persons except those who expressly joined some recognized dissenting church. The courts were reluctant to extend such exemptions, and construed them strictly.

Although neither the words "Orthodox" nor "Congregational" were used in Article III, the effect of this article was to perpetuate this provincial system by incorporating it in the fundamental law and virtually to establish the Congregational Church as the orthodox church of Massachusetts Unbelievers, non-church-goers, and dissenting minorities too small to maintain a minister, had to contribute to Congregational worship. Every new denomination that entered the Commonwealth after 1780, notably the Universalists and Methodists, had to wage a long and expensive lawsuit to obtain recognition as a religious sect. Town treasurers refused to give regular dissenting ministers their share of the tax.

The provisions of the first four paragraphs of Article III in fact nullified the professions of the fifth paragraph. The latter clause, (which was not contained in the draft submitted to the Convention by the Committee), although purporting to place all denominations upon an equal footing, was, in reality merely a gesture. As a matter of fact, all other denominations were subordinated to the recognized Orthodox Church.

Question of Sects (1780)

Many of the towns protested. Ashfield declared that Article III was "unconstitutional to human nature, and no Precept in ye word of God to Support it." Middleborough stated it to be "unmeaning, or otherwise admits of Different meanings." It is "very ambiguously expressed," said Grafton. Raynham objected to it in the words: "It is our opinion that the Said Third Article in the Bill of Rights ought to be more explicit so that it may be Easily understood by all men. If not there will be Danger of Different Societies Quariling and Contending in the Law about their Rights which will Tend to the Destruction of Piety, Religion and Morality and Entirely Subvert the Intention of said Third Article." Granville expressed itself: "True Religion has evidently declined and been corrupted by the interference of Statesmen and Politicians." Joseph Hawley, a leader more tolerant in religious matters than most of the others, wrote that future laws on religion, "if made conformable to the article itself, will afford plenty of that glorious uncertainty, which is the source of the emoluments of the men of my profession."

A series of articles appeared in the press both opposing and defending Article III. The opposition was led by, though not confined to, the Baptists, and the leader of the Baptists was the Rev. Isaac Backus, of Middleborough. He became the principal exponent in Massachusetts of the separation of church and state. He was a prolific writer and exerted a wide influence in the community. Through his example the State Baptist Association issued an emphatic protest to the General Court.

An intense argument took place in the *Boston Gazette* between two members of the Convention who signed themselves respectively "Philanthropos" and "Iraeneus". The former stoutly maintained that "civil government has absolutely no right to intervene in religious affairs, whether by defining orthodoxy, punishing heresy, enforcing attendance at public worship, or taxing the citizens for its support." The latter, answering the "extemporaneous gabblings" of his opponent, retorted that the opposition was advocating "impiety, irreligion, and licentiousness", and was confined to "a certain junto, composed of disguised Tories, British emissaries, profane

and licentious Deists, avaricious Wordlings, disaffected Sectaries, and furious blind bigots."

A more rational and convincing argument in favor of Article III, which apparently influenced a majority of the Towns to support it, was contained in the report of a committee of Boston citizens which was adopted by a majority vote, although a minority report was signed by 140 voters and published in the *Boston Gazette*. The Boston Committee report stated: "Though we are not supporting the Kingdom of Christ, may we not be permitted to assist civil society by an adoption, and by the teaching of the best act of Morals that were ever offered to the World? . . . Suspend all provision for the inculcation of morality, religion and Piety, and confusion and every evil work may be justly dreaded."

Religious Qualification for Office (1780)

The religious question was raised again in connection with the consideration of the provisions in the Constitution relating to qualifications for office. Chapter II, Section 1, Article II of the Frame of Government declares that no person shall be eligible to the office of Governor "unless he shall declare himself to be of the Christian religion." And Chapter VI, Article I, provides that any person chosen Governor, Lieutenant-Governor, Councillor, Senator or Representative shall declare that he believes "The Christian religion", and shall take oath "that no foreign Prince, Person, Prelate, State or Potentate, hath, or ought to have, any jurisdiction, superiority, pre-eminence, authority, dispensing or other power, in any matter, civil, ecclesiastical or spiritual, within this Commonwealth." This oath was directed against the extreme Catholics. John Adams, it has been said, objected to it. But, as stated in the Address, the delegates considered themselves "obliged by a Solemn Test, to provide for the exclusion of those from offices who will not disclaim those Principles of Spiritual Jurisdiction which Roman Catholicks *in some Countries* have held, and which are subversive of a free Government established by the People." Among many towns, however, further protection was demanded. These voted to insert the word "Protestant" before the word "Christian" wherever used in the Constitution. Roxbury declared that such insertion "seems to

us necessary to secure the peace and tranquillity of the State, as well as to the promotion of that Religion which our venerable Forefathers suffered everything but death, to establish."

Provisions for Personal Liberty

With the exception of Article III, practically the only provision in the Declaration of Rights to which any substantial objection was made were Article XXIX, relating to the tenure of judges, and Article XVI on the freedom of the press. Article XXIX stipulates that "the judges of the Supreme Judicial Court should hold their offices as long as they behave themselves well." In the Adams draft all judges were included, but the Convention restricted this provision to the judges of the Supreme Judicial Court. Some of the towns, particularly in the western part of the State, even objected to this, believing that it would make these judges too independent. These towns were, however, in a small minority.

An inclination appeared on the part of some communities, notably Boston, to enlarge Article XVI so as to permit unrestrained expression in public speech, but it came to nothing. The Article was confined to the liberty of the press.

The Separation of Powers (1780)

Article XXXI of the Adams draft, which provided merely that "the judicial department of the State ought to be separate from, and independent of, the legislative and executive powers," was struck out by the Convention, and Article XXX, which was substituted therefore, reads: "In the government of this Commonwealth, the legislative department shall never exercise the executive and judicial powers, or either of them: the executive shall never exercise the legislative and judicial powers, or either of them: the judicial shall never exercise the legislative and executive powers, or either of them: to the end it may be a government of laws and not of men." Here is a comprehensive declaration of the principle of the complete separation of the powers of government, the lack of which had been so objectionable in the draft of the Constitution submitted in 1778.

In the Address is emphasized the doctrine of checks and balances. "A power without *any* Restraint is Tyranny. The Powers of Government must then be balanced. . . . Those who are to be invested with the Administration, should have such Powers given to them, as are requisite to render them useful in their respective Places; and such *checks* should be added to every Branch of Power as may be sufficient to prevent its becoming formidable and injurious to the Commonwealth." Hence the Constitution provided for a strong executive, a two-chamber legislature, and an independent judiciary.

Some objections were made to the system proposed. The people were accustomed to a supreme legislature; from their experience with royal executives they naturally distrusted that branch of the government. In the other states which had adopted constitutions, the governor was (in all except three), elected by the legislature, limited in his functions by the council or other similar body, and had little appointive power and no veto whatever. In Massachusetts, the leaders early appreciated that "the executive power ought to be conducted with vigour and dispatch. It should be able to execute the laws without opposition, and to controul all the turbulent spirits in the state, who should infringe them. If the laws are not obeyed, the legislative power is vain, and the judicial is mere pageantry."

In Massachusetts, therefore, the Governor's position, in comparison with other states, was made strong and independent. No constitutional restriction prevented reelection; in fact, Hancock and Strong were later both reelected ten times. John Adams, Parsons, Lowell, and others feared the excesses of democracy. They saw the danger of unrestrained democracy. They wanted to guard against "that lust of domination, which in some degree influences all men, and all bodies of men." They were trying to establish an efficient and a workable government, sufficiently balanced to get results, and, at the same time, sufficiently curbed to prevent abuses.

Practically they adopted the principle of the "Essex Result" in establishing two branches of the legislature. "The House of Representatives", they said, "is intended as the Representative of the Persons, and the Senate of the property of the

Commonwealth....These are to sit in separate Bodies, each having a Negative upon the Acts of the other. This Power of a Negative in each must ever be necessary; for all Bodies of Men, assembled upon the same occasion and united by one common Interest of Rank, Honor, or Estate, are liable, like an individual, to mistake, bias and prejudice." John Adams and "the Essex Junto" (Parsons, Lowell, Jackson and Cabot) were able to offset the advocates of a unicameral legislature, of whom at first there were a considerable number. John Adams himself wrote on April 12, 1809: "Lieutenant Governor Cushing was avowedly for a single assembly, like Pennsylvania. Samuel Adams was of the same mind. Mr. Hancock kept aloof, in order to be governor. In short, I had at first no support but from the Essex junto."

The Executive Veto (1780)

A veto power over legislation was given to the Governor, "not only to preserve the Laws from being unsystematical and inaccurate, but that a due balance may be preserved in the three capital powers of Government. . . . The History of the rise and fall of the Empires of the World affords us ample proof, that when the same Man or Body of Men enact, interpret and execute the Laws, property becomes too precarious to be valuable, and a People are finally borne down with the force of corruption resulting from the Union of those Powers."

In the Adams draft, an absolute veto was given the Governor without any provision for the Legislature to override it. As Adams wrote to a friend several years later: The Convention "struck out two things, to my sorrow. One was an unqualified negative to the governor." But the veto power was considered dangerous; in some states there was no such power whatever. It was therefore qualified by allowing two thirds of the legislature to pass laws, notwithstanding the objections of the Governor.

The separation of the powers of government was carried out more boldly and logically in the Massachusetts Constitution than in any previous form of government. This did not mean, however, that the three departments of government should not have partial control over the acts of each other.

Triumph of Separation of Powers

For instance, in commenting upon Article XXX of the Massachusetts Declaration of Rights, Madison says later in the *Federalist:* "This declaration corresponds precisely with the doctrine of Montesquieu, and is not in a single point violated by the plan of the convention. It goes no farther than to prohibit any one of the entire departments from exercising the powers of another department. In the very Constitution to which it is prefixed, a partial mixture of powers has been admitted. The executive magistrate has a qualified negative on the legislative body, and the Senate, which is a part of the legislature, is a court of impeachment for members both of the executive and judiciary departments. The members of the judiciary department, again, are appointable by the executive department, and removable by the same authority on the address of the two legislative branches. Lastly, a number of the officers of government are annually appointed by the legislative department." This last sentence had reference to Chapter II, Section IV of the Constitution of 1780 (since amended), by which the two houses of the legislature in joint session were empowered to elect the secretary of the Commonwealth, the treasurer, the commissary-general, notaries public, and naval officers.

The Senate and Council (1780)

The Council, also, was elected by the two branches of the legislature in joint session, nine of them chosen annually "from among the persons returned for councillors and senators." The Council was "for advising the Governor in the executive part of the government." In other words, the people elected annually "forty persons to be councillors and senators," nine of these were subsequently chosen councillors by the Senate and the House together, and the remainder constituted the Senate. This system was a compromise between the old Province system and the new principle of the separation of powers. Under the former, the General Court annually chose a Council of 28, to act both as the upper house of the legislature and executive council as well. Under the new system, the councillors, elected by the people either as councillors or senators, became members of the executive branch of the government

only by the subsequent designation as such by the full legislature. The functions of the old Provincial Council were thus divided, the executive functions being assigned to the Governor's Council, and the legislative functions to the Senate. Only three other States in the Union have a Governor's Council.

The Senate was, as the Address pointed out, the body which was to represent property. It avowedly carried out John Adams's doctrine of class representation. He firmly believed in the necessity of protecting property against the assaults of democracy. Thus the members of the upper house were apportioned to districts according to taxable property, but with the limitations that there should never be less than thirteen districts, and that no district should ever be entitled to more than six Senators. The original districts corresponded to the several counties of the Commonwealth; and the two largest counties (Suffolk and Essex) each had six Senators.

Apportionment of Representatives (1780–1857)

The lower house, in distinction, was intended as "a representation of the people, annually elected, and founded upon the principle of equality." The difficulty, however, was to apply this principle of equality. The smallest town claimed the right to at least one representative, a right which had been recognized by law since 1692; and the largest wanted representation proportionate to its size. It was impossible to reconcile these conflicting points of view without providing for a house of enormous proportions. The solution agreed upon was to give every town "containing one hundred and fifty rateable polls," one representative, and one more for every two hundred and twenty-five additional "rateable polls;" provided, however, that every town already incorporated, no matter how small, was entitled to one representative. Thereafter no town was to be incorporated until it had at least one hundred and fifty "rateable polls." On this basis, if the total number provided for had attended, the lower house would have been too unwieldy for all practical purposes. At the next session ofter the act of 1811 had gone into effect for paying representatives for their services out of the public treasury, the number of members, larger than ever before,

was over seven hundred. Clearly, the system adopted proved unworkable and it had to be amended.

It was not, at the time, satisfactory to many towns, especially in the western part of the state. The farming districts wanted a stronger voice to oppose the fast-growing urban and mercantile centers of the east, particularly Boston. Some towns wanted to revert to the old law of 1692 which restricted Boston to four representatives, although that law had been amended in 1776 to give towns an additional representative for every one hundred voters over two hundred and twenty. Other communities were more reasonable, and suggestions were made which formed the basis of the system adopted in later amendments to the Constitution. Mendon, Spencer, Sutton, and Bridgewater were wise enough to suggest the scheme which was incorporated in the Constitution by amendment in 1857 and is in force today,—that of dividing the whole state into representative districts of equal voting strength. Worcester rejected the article unanimously, fifty-seven being present. It has been said that "the return of Worcester gives the deliberate voice of western Massachusetts on this question of representation." The West was jealous of the East, and fearful lest the more populous towns, having it in their power to constitute a quorum, which was sixty, and being so near at hand that they could attend easily, should "in a thin house" pass laws "which would not be calculated for the General Good." The disregard of the feeling against this provision, was one of the causes of Shays's Rebellion.

Property Qualifications for Office (1780)

The property qualifications for the offices of Senator and Representative were different, but the franchise for electors for both offices was the same. No person could be a Senator who did not own a freehold estate within the state of the value of at least three hundred pounds, or an estate, either personal or mixed, of at least six hundred pounds. To be a representative one was required to be the owner of a freehold estate of one hundred pounds in the town he represented, or any ratable estate to the value of two hundred pounds.

The Governor, senators and representatives were chosen by the male inhabitants of the respective districts, being

twenty-one years of age, and owning within the Commonwealth a freehold estate of the annual income of three pounds, or any estate of the value of sixty pounds. This property qualification was defended in the Address by an appeal to those of good repute who were twenty-one and had as yet no property to suspend their right to vote for a short time rather than turn over their privileges to "those whose Idleness of Life and profligacy of manners will forever bar them from acquiring and possessing Property."

Some objection was urged against these provisions on the part of a few towns; but there was more objection to applying the property qualification to voters for members of the lower house. If the House represented the people, was the argument, why disfranchise many who were liable to taxation? Boys sixteen years of age were "rateable polls," and yet they were to be given no voice in the selection of their representatives. "These poor polls...feel and own the force of the argument for property's having great weight in the legislature, because property ever was, and ever will be, the subject of legislation and taxation. But pray Gentlemen, shall not the polls, the persons of the state, have some weight also, who will also always be the subjects of legislation and taxation? Are life, members, and liberty of no value or consideration?" Dorchester voted unanimously that suffrage for a representative be granted to all males twenty-one years of age and over. One or more towns suggested requiring only a certificate of "sober Life and Conversation."

Judicial Tenure (1780)

Chapter III of the Frame of Government concerns the "Judiciary Power." In Article XXIX of the Declaration of Rights, great stress is laid on the importance of the independence of the judiciary. "It is essential to the preservation of the rights of every individual, his life, liberty, property and character, that there be an impartial interpretation of the laws, and administration of justice. It is the right of every citizen to be tried by judges as free, impartial and independent as the lot of humanity will admit." All judicial officers, therefore, shall hold their offices during good behavior, excepting

such as are otherwise provided for in the Constitution, "provided nevertheless, the governor, with consent of the council, may remove them upon the address of both houses of the legislature."

This method of removal of judges, though long existent in England, is unusual in the United States. It is an important power given to the legislature in addition to the general power of impeachment of all state officers by the House and determination thereof by the Senate. Among the States that provide for removal by address, the greater number stipulate that a two-thirds vote of both houses is necessary; in Massachusetts a bare majority of each house is sufficient. In most States the accused must be notified, the cause of the proposed removal stated, and a hearing given; but in Massachusetts no reason need be assigned and no hearing is necessary. As Chief Justice Shaw said in addressing the Convention of 1820: "By the Constitution as it now stands, the judges hold their offices at the will of the majority of the Legislature."

Whatever the technical rights of the legislature, however, the dictates of justice will no doubt always insure a fair hearing for any accused judge. In the few applications of this power, hearings were held, and the accusations thoroughly investigated. Three addresses were presented against Judge Loring of the Probate Court of Suffolk County before he was removed in 1858. In two of these, no reasons were assigned. No limitation is stated to the causes for which a judge may be removed by this method. The legislature may petition for removal for any cause that a majority thereof determine as adequate.

Some demand was made in the Convention of 1780 that judges be elected by the House of Representatives or the people. A stronger demand was heard, particularly from Berkshire County, that the towns should elect their own probate judges; and that, as a matter of convenience, a registry of deeds should be located in every town. These western communities were reluctant to give up any local rights. They took occasion frequently to assert their local independence. They feared the domination of the more populous East. John Adams in 1776 condemned their views in severe language: "The projects of county assemblies, town registers, and town

probates of wills are founded in narrow notions, sordid stinginess, and profound ignorance, and tend directly to barbarism."

Amendment and Intellectual Interests (1780)

The constitution provided (Chapter VI, Article X) that, "to form such alterations as from experience shall be found necessary," a convention should be held in the year 1795, provided that two-thirds of the qualified voters are in favor of such revision or amendment. No provision for future amendment appeared in the Adams draft; but the quoted provision was adopted on the report of the committee appointed to consider this question. Most of the opposition to this article, which was formidable, preferred a future convention fixed definitely, rather than have it depend upon the vote of the people as the time approached. When the question of revision was submitted in 1795, it was defeated by a large majority.

John Adams' favorite paragraph was Section ii of Chapter V on "The Encouragement of Literature, etc." This, a distinguishing feature of the Constitution, was a general plea for the diffusion of "wisdom and knowledge, as well as virtue," and an exhortation to legislatures and magistrates "to cherish the interests of literature and the sciences, to encourage the promotion of agriculture, arts, commerce, trades, manufactures, and a natural history of the country, and to inculcate the principles of humanity and general benevolence, public and private charity, industry and frugality, honesty and punctuality in their dealings; sincerity, good humor, and all social affections and generous sentiments, among the people."

The corporate privileges and property rights of the President and Fellows of Harvard College, acquired in 1636, and by gifts and grants at sundry later times, were ratified and confirmed to them and to their successors forever by Section i of the same Chapter.

Count of the Popular Vote (1780)

The Convention, having adjourned to await the action of the towns, reassembled in the meetinghouse of the Brattle Street Church in Boston on June 7, 1780. Twenty-seven new

delegates presented themselves. A committee, originally of five but later added to, was appointed "to revise and arrange" the returns. This, as can well be imagined, was a difficult task. An unusual method of tabulating the votes cast was employed, of which a specimen was submitted by the committee to the convention, June 12. The first column recorded the yeas and nays if amended; the second, the yeas and nays if the amendments do not obtain. Then came a column for every article, with the yeas and nays, followed by a column headed "ditto if amended." For instance, in Essex, on Article III of the Declaration of Rights, there were 922 votes in favor, 287 against, 448 in favor if amended, and 29 against if amended. Apparently, however, the votes in favor of the amendment were not, as they should have been, counted against the article. "In computing the vote for a given article the returns of practically all the towns that opposed it were either counted in favor of it or not counted at all." This being so, a two-thirds majority was recorded for every article. Hence there is certainly grave doubt whether the Constitution of 1780 was legally ratified. Public opinion seemed to favor an end of the five years long discussion of a frame of government. No vigorous protest was made against the findings of the committee, and the acquiescence of the council.

Final Ratification of the Constitution (1780)

With the detailed report before the convention, on June 15, "the several articles were then read separately, and the following question put upon each, viz: Is it your opinion that the people have accepted of this article? Which, upon every individual article, passed in the affirmative by a very great majority." The convention refused to take a vote by yeas and nays on the constitution "in gross," but a motion "that the People of the State of Massachusetts Bay have accepted the Constitution as it stands in the printed form, submitted to their revision by the Resolves of 2d March last," was "passed in the affirmative by a very great majority."

On June 16, a proclamation, signed by President James Bowdoin, as President of the Convention, announced the acceptance of the Constitution by more than two thirds of

those voting thereon, and declared that the Constitution thus established would go into effect at the first meeting of the General Court on the last Wednesday in October. Following an election on October 25, 1780, John Hancock was duly inaugurated as the first Governor under the Constitution of the Commonwealth of Massachusetts.

Thus was evolved the Constitution under which the people of Massachusetts have lived in peace for a century and a half and are still living today. It became the model upon which the Federal Constitution was later built. As John Adams wrote none too modestly: "I made a constitution for Massachusetts, which finally made the constitution of the United States." Adams was not the sole architect. To Parsons, Cabot, Paine, Bowdoin, Lowell, and others should go a large share of the credit. And to the people of the towns of that time we are indebted for valuable suggestions, many of which afterwards were adopted as amendments.

That the Constitution of 1780 has endured in its essential features is due to the wisdom of the framers in adopting an instrument general and flexible in its provisions. They were building not for today or tomorrow—but for posterity. They appreciated better than some of our modern constitution-makers the basic distinction between a constitution and a statute.

The Preamble to the Constitution and the Declaration of Rights are the finest specimens of political thought and contain the most complete exposition of the proper relation of government to the individual to be found in any of the early constitutions. In only six of the original constitutions was there any bill of rights at all. The men of Massachusetts had the experience of other states (Virginia in particular) and of other nations to guide them. The principles therein expressed afford an example and serve as an inspiration to the present generation and to the generations yet unborn.

Significance of the Constitution

In the Preamble the true functions of government are explicitly set forth. "The end of the institution, maintenance, and administration of government, is to secure the existence of the body-politic; to protect it; to furnish the individuals

who compose it with the power of enjoying in safety and tranquillity their natural rights, and the blessings of life." This body politic, "formed by a voluntary association of individuals," is "a social compact, by which the whole people covenants with each citizen, and each citizen with the whole people, that all shall be governed by certain laws for the common good." Here is expressed with greater elaboration the same conception of the nature of government as is found in the words of the Declaration of Independence: "Governments are instituted among men, deriving their just powers from the consent of the governed." This doctrine is one of the foundation stones of the American political system.

The Constitution of Massachusetts "both in essence and in form stands as a type of the best workmanship and the highest scholarship." It embodies in its Declaration of Rights the fundamental principles of English liberty and the natural and inalienable rights of all free citizens. It adopts the principle of representative government,—"the great contribution of the English-speaking race to the science of government." In its formation, for the first time, the principle of the separation of powers, and the practice of framing a constitution by a special convention subject to ratification by the voters, were combined together. In these respects, and others, the Constitution of Massachusetts of 1780 stands in the front rank of the documents which have shaped the course of the history of the United States.

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CHAPTER VIII

JOHN ADAMS, NATIONAL STATESMAN (1735–1826)

By Edwin D. Mead
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Reasons for Independence

The history of the American Revolution, John Adams well said, is not the story of the battles from Lexington to Yorktown, but much more that of the profound transformation of the American mind during the fifteen years before Lexington. The ultimate independence of the colonies was inevitable. Every condition of geography, communication, commerce, race, religion, political habit and tradition, local pride, and sturdy self-reliance predicted and assured it. But with understanding and wisdom in London, it might have been profitably delayed and might have come more reasonably.

The causes of the American Revolution have been set forth in the previous volume: they will here be considered only as they are bound up with the constructive work of John Adams, who has been called, with warrant, the "Statesman of the Revolution." They were not so much political or economic as social, personal, governmental. Captain Preston of Danvers, minute-man at Concord fight, when asked many years later why he went into the battle—was it oppression and the Stamp Act? replied, "Oppressions? I didn't feel them. I never saw one of those stamps. Tea tax? I never drank a drop of the stuff; the boys threw it all overboard. Young man, what we meant in going for those redcoats was this: We always had governed ourselves, and we always meant to; they didn't mean we should."

The Two Adamses

In the conflict of the Revolution in its early stages Massachusetts was the American center; and the greatest Massa-

chusetts leaders were Samuel and John Adams. Till 1774 Samuel Adams was by far the more conspicuous and influential. John Adams called him "the very soul of the Revolution." As the organized Revolution advanced to a continental stage, John Adams rapidly became the more prominent and powerful figure in Massachusetts and in Congress.

Between Samuel and John Adams there was a sturdy mutual confidence and an affectionate intimacy. They often called each other brother, though the real relationship was that of second cousin. Their first American ancestor was Henry Adams, who came from England and settled in Braintree in 1638. Grandsons of Henry Adams were Joseph Adams, a citizen of Braintree, and John Adams, a sea-captain. The former was grandfather of President John Adams; the latter was grandfather of Samuel Adams.

The English Adams Family

Only in recent years have historians traced the origin of the various American statesmen back to the villages of England. The English cradle of the Adams family is now known to have been Barton St. David in Somersetshire.

This origin of the Adams family was first completely traced in 1927 in Bartlett's *The Henry Adams Genealogy.* It is established beyond question that the original emigrant, Henry Adams, was born at Barton St. David, county of Somerset, near Wells, England, about 1583, and at least three generations of his ancestors have been buried there. The Barton Adamses seem to have been a race of sturdy yeomen, cultivating lease-hold farms, raising sheep and cattle, and living in simple thatched stone cottages.

Henry Adams at one time was a maltster, like Samuel Adams and his father in Boston later on. He married in 1609 Edith Squire, the daughter of a husbandman and blacksmith, whose ancestor had been a rector near the parish. About 1622, Adams removed to the adjoining parish of Kingweston, where he probably continued until his emigration with his family in 1638.

The Emigration to Massachusetts (1638)

The county of Somerset had become a stronghold of the Puritans. John Adams two centuries later placed upon a monument to his ancestor in Quincy the statement that in 1637 his emigrant ancestor "took flight from the dragon persecution in England," a family tradition which must not be disregarded.

John Pym the militant Puritan lived not far from Barton St. David, about the time of Henry Adams's emigration. A persistent legend asserts that about the time of Pym and Hampden and Cromwell were actually embarked for New England, but were stopped by governmental authority. Presumably Henry Adams also found England an uncomfortable place for his political and religious opinions.

The immediate impetus of Henry Adams's emigration came probably from the influence of that cardinal figure in New England colonization, Rev. John White of Dorchester, not far from Barton St. David. The Dorchester Adventurers, organized by him in 1623 for colonization of non-conformists in New England, had effected the successful settlement at Salem under Conant and Endicott. Among John White's parishioners was one Aquila Purchase, master of a Dorchester school, who married Anne Squire, sister of Henry Adams's wife. In 1632 Purchase with his wife and children emigrated to Dorchester, Massachusetts. What more natural than the succeeding emigration in 1638 of Anne's two sisters, Edith and Margaret, with their husbands, Henry Adams and John Shepard.

A bronze tablet, a twentieth-century memorial, has been placed on the wall of Barton St. David church bearing the following inscription: "To the glory of God, in honor of St. David, and in memory of Henry Adams, born in this parish about 1583, and a founder of New England 1638. Ancestor of two Presidents of the United States of America, John Adams and John Quincy Adams, whose exalted services to their country evoke a testimony of respect for their ancestral home. This memorial has been erected by Edward Dean Adams, A. D. 1926."

The Pioneer Family (1638–1750)

Arriving in Massachusetts in 1638, with his wife and nine children, Henry Adams settled at Mount Wollaston, which in 1640 was incorporated as the Town of Braintree, in that part of Braintree which in 1792 became Quincy and with which the Adams family has been conspicuously identified for three centuries. February 24, 1639-40, Henry Adams was granted by the town of Boston a lot of forty acres at Mount Wollaston for "a family of ten heads." The eldest son became the first town clerk of Braintree. The first book of Braintree town records is in his handwriting.

Henry Adams died in Braintree in 1646. The inventory of his entire property amounted to £75.13.0, including "some old books" bequeathed to his nine children. His family quickly dispersed over eastern Massachusetts. Sons are recorded in Medfield, Concord, Cambridge, and Chelmsford; the daughter in Charlestown. Joseph Adams, the only son who remained in Braintree, was the ancestor of Samuel and John Adams. His eldest son, Joseph, was the grandfather of John Adams; his second son, John, was the grandfather of Samuel Adams.

Deacon John Adams, the father of the President, was a farmer and a cordwainer, well educated; by industry and thrift he acquired a substantial estate, and brought up and educated his children well. The house in which he and his illustrious son were born still stands. His widow, Susanna (Boylston) Adams, lived till 1797, just as her eldest son, John Adams, became President of the United States.

John Adams's ancestors in the first four generations in Braintree were thus all, as John Quincy Adams wrote, "in that humble but respectable condition of life which is favorable to the exercise of virtue, but in which they could attract little of the attention of their contemporaries." As late as when he was Vice-President, John Adams wrote that if family pride were in any way excusable, he should "think a descent from a line of virtuous, independent New England farmers for one hundred and sixty years was a better foundation for it than a descent from regular noble scoundrels ever since the flood."

The Student and Schoolmaster (1755 – 1758)

Born in 1735, living till 1826—John Adams's life divides itself naturally into three periods: the forty years of preparation for his great career, the quarter century of public life, and the quarter century of retirement.

His father gave him a college education as the best he could do for him. He was graduated at Harvard College in the class of 1755, as one of the first scholars in his class. The rank of students was then fixed according to the social condition of their parents; and John Adams was fourteenth in a class of twenty-four. A graduate of Harvard College in 1755 was expected to devote himself to the profession of either divinity, law, or medicine. John Adams could not easily make his choice. Meantime he must support himself; and he became a schoolmaster, obtaining the position of teacher of the grammar school of Worcester, where he remained three years. The selectmen had engaged a boarding place for him, where he found Morgan's *Moral Philosophy* and learned that "deism had made considerable progress" in Worcester and the surrounding towns. His next boarding place was with a physician, whose books and life interested him so much that he entertained thoughts of becoming a physician himself.

This was a formative period of John Adams's life, in a growing and typical Massachusetts town. Worcester was then a town of about 2,500 persons. Though at the end of a year Adams laments the "narrow shpere" he moves in, and his "lonely life" and "hard fortune," he found the town "quite pleasant" and the people "sociable, generous, and hospitable." One capital influence is thus indicated: "The whole town is immersed in politics, which is made the subject of every conversation. . . . I am turned politician." . . . "Dr. Savil tells me that by cultivating and pruning these tender plants in the garden of Worcester, I shall make some of them plants of renown. However this be, I am certain that keeping this school any length of time would make a base weed and ignoble shrub of me." Yet a little later he wrote: "I am as yet very contented in the place of a schoolmaster. I shall not, therefore very suddenly become a preacher."

The Adams Self-Estimate

The most significant and the most attractive feature in this Worcester experience is the young schoolmaster's correspondence with his friends, chiefly college friends, in and about Boston. In the great days of 1776, when he was conspicuous even in a notable group of great men, he wrote to his wife from Philadelphia: "There are very few people in this world with whom I can bear to converse. This has made me a recluse and will one day make me a hermit." In the closing years of his life he often seems a lonely figure; and even earlier, although he always had many associates and correspondents, we seldom think of him as the centre of a circle of friends. In later life we find him possessed often by the spirit of uncharitableness and censoriousness. Much has been said of his overweening vanity, irritability, and arrogance. Humility certainly was not his forte.

After 1774 he does not seem to have looked up to anybody; he evidently thought himself as great a man as Washington or Jefferson or Franklin. This vanity, such as it was, was usually harmless; he was often sanely conscious of it and once recorded: "Vanity, I am sensible, is my cardinal vice, and cardinal folly." He wishes that he could conquer his "natural pride and self-conceit, expect no more deference than I deserve," give up his "ill-natured remarks" on the character and ways of others, and put the most favorable construction upon the weaknesses, bigotry, and errors of others." Defending John Hancock against similar charges, he once wrote: "Those little flickerings of little passions determine nothing concerning essential character."

The essential is that no self-conceit or pride of opinion ever betrayed John Adams into courses untrue to patriotism or to duty. However repellent his exterior at times, however cold the loneliness to which at periods he was fated, he had a warm heart and craved fellowship. "He was throughout life," wrote his son, "a disinterested, an affectionate, a faithful friend." His appreciation of his fellow workers was usually generous and outspoken, as is shown by his warm tributes to his Massachusetts associates, Otis, Hancock, and Samuel Adams. Some of the young men

from his Harvard and Worcester periods remained his friends as long as they lived.

Ambitions, Public and Private

John Adams at this time and for long afterwards certainly had no ambition or expectation for himself that matched friendly predictions, although just after his return to Braintree he writes to young Jonathan Sewell: "Though I have very few hopes, I am not ashamed to own that a prospect of immortality in the memories of all the worthy to the end of time would be a high gratification." Sewell writes to him: "Cicero's name has been handed down through many ages with admiration and applause. So may yours. Who knows but in future ages, when New England shall have risen to its intended grandeur, it shall be as carefully recorded that Adams flourished in the second century after the *exode* of its first settlers from Great Britain."

Sewell espoused the royalist party and spent years of isolation in England. When Adams was our ambassador at London just after the war, he made a friendly visit to Sewell, who writes that when he came in he grasped his hand warmly in both of his, exclaiming, "How do you do, my dear old friend?" Sewell adds, "If I am not mistaken, now he has reached the summit of his ambition, he finds himself quite out of his element, and looks back with regret to those happy days when, in a snug house, with a pretty farm about him at Braintree, he sat quiet in the full possession of domestic happiness, with an amiable, sensible wife." Indeed, Adams wrote to his wife from Philadelphia in the summer of 1776, "Let me have my farm, family and goose-quill, and all the honors and offices this world has to bestow may go to those who deserve them better and desire them more. I had rather build stone wall on Penn's hill than be any prince in Europe or the first general or first senator in America."

Significant was his survey of history in his first year at Worcester, in a letter to a friend. Tracing the power and magnificence of England, he added: "Soon after the Reformation, a few people came over into this new world for conscience sake. Perhaps this apparently trivial incident

may transfer the great seat of empire into America. It looks like it to me; for if we can remove the turbulent Gallics, our people will in another century become more numerous than England itself. . . . The united force of all Europe will not be able to subdue us. The only way to keep us from setting up for ourselves is to disunite us."

Choice of the Legal Profession (1756–1764)

During his last two years at Worcester, young Adams combined school-teaching with the study of law. The family at Braintree expected he would enter the ministry; but as he said: "Necessity drove me to the law." He was a sincerely religious man, and to the end of his life a very theological mind. But he quarreled with the creed; and that ended it. In an early letter from Worcester he writes: "There is a story about town that I am an Arminian." He read Bolingbroke: "I confess without much good or harm."

Curiously, his dearest desire at this time, as he wrote long afterwards, was for a military career. "Nothing but want of interest and patronage prevented me from enlisting in the army. . . . It is a problem in my mind to this day, whether I should have been a coward or a hero."

Turning from war, as he had turned from medicine and the pulpit, he soon fixed upon the law; and few decisions at that juncture were more fortunate for American political life. In 1756 he entered the office of Colonel James Putnam, a Worcester lawyer, to study law, living in the family. For the legal training he was to pay a hundred dollars, "when he should find it convenient." Col. Putnam's library was not large, but contained the most essential law books. The young man was a close student and a prodigious reader, now and afterwards, not only of the law books of the time and of earlier English and Roman periods, but of everything he could lay hands on upon the science and philosophy of government. From the first it was law in its broadest aspects which appealed to him.

He was sworn in as an attorney in the Superior Court at the recommendation of Jeremy Gridley, then attorney-general of the Province, one of the most eminent lawyers of the time, who from the start took a liking to him. He advised him to "pursue the study of the law rather than the gain

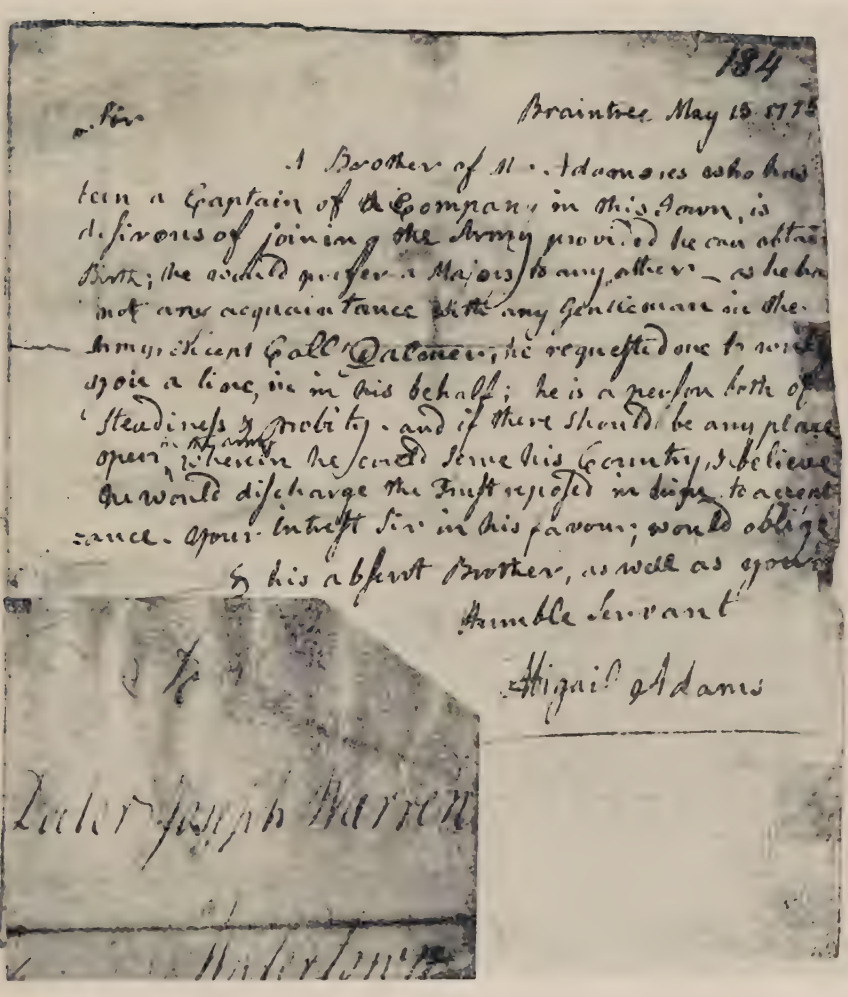
of it," but the gain of it "enough to keep out of the briars," and "not to marry early," since that would obstruct his improvement and involve him in expense.

When John Adams returned to Braintree in 1758, he went back to live in his own home. His father died in 1761, and he remained with his mother until his marriage, in 1764. The Braintree years preceding his marriage, if his confessions in his diary are honest, had much bumptiousness in them: "pretensions to wisdom and virtue" not supported by his experience; about his Greek; and about "being a great man." He talked, too, about "the folly of affecting to be a heretic," and he warned "Hannah and Esther about the folly of love," and touched on his insensibility of tender passions, "which makes them laugh."

Abigail Smith Adams (1744 – 1818)

John Adams's marriage, in 1764, was the great blessing of his life. Abigail Smith was the daughter of Rev. William Smith, for forty years minister of the church in Weymouth, a man of great vigor and wit. Her mother was the daughter of Colonel John Quincy, for many years representative from Braintree in the legislature, and for a considerable period speaker of the House, whose mother was a descendant of Thomas Shepard, the distinguished minister of Cambridge, and whose wife was a descendant of the almost equally eminent Reverend John Norton. John Adams thus became allied with the most respectable families of the province. The result, writes his son, "was immediately perceptible in the considerable increase of his professional practice."

Abigail Smith was the second of three daughters, and was twenty years old at the time of her marriage. This was a century before Mary Lyon: and Wellesley and Smith Colleges were still farther in the future. A century must pass before a girl could receive a high-school education, even in Boston. As Abigail Adams herself says in one of her letters, "it was fashionable to ridicule female learning." Although she was a delicate girl, she had a keen mind, good sense, and strong moral principles; and she owed much in her training to her long visits with her



Sir

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Braintree May 15 1775

A Brother of Mr. Adams's who has been a Captain of a Company in this Town, is desirous of joining the Army provided he can obtain a Birth; he would prefer a Majors to any other — as he has not any acquaintance with any Gentleman in the Army, except Coll. Palmer, he requested me to write upon a line, in in his behalf; he is a person both of steadiness & probity, and if there should be any place open, wherein he could serve his Country, I believe he would discharge the Trust reposed in him, to acceptance. Upon intreaty Sir in this favour, would oblige

& his absent Brother, as well as upon

Humble Servant

Abigail Adams

Lieut Joseph Warren

Watertown

From original in Massachusetts Archives

Abigail Adams to Joseph Warren as to a Commission

grandmother, Colonel Quincy's wife, in Braintree, a woman of unusual energy, piety, and animation, whose utterances were "oracles of wisdom" treasured in her memory to the end of her life. For the rest, there was much letter writing in her youthful circle, and they read the English poets and the *Spectator,* revelled in quotations, and adopted fictitious signatures. Miss Smith signed herself "Diana" until after marriage, when it became "Portia."

Abigail Adams was the most interesting American woman in the period of the Revolution, and there was no nobler character. Mercy Otis Warren, of whom at once we think, was her close friend. The unchanged affection, admiration and cooperation of such a woman from the time of their marriage to the time of her death, eight years before his own, is John Adams's highest credential and the answer to most of the personal criticisms of that violent period. No other understood so well his principles and purposes, his temperament, and the personal equations of his life.

Charles Francis Adams wrote of his great ancestor; "Ardent, vehement in support of what he believed to be right, easily roused to anger by opposition, but sincere, placable, and generous when made conscious of having committed the slightest wrong, there is no individual of his time about whom there are so few concealments of either faults or virtues."

Letters of John and Abigail Adams (1774 – 1783)

Such is the man who appears in the *"Familiar Letters of John and Abigail Adams during the Revolution,"* which were piously and fortunately given to the world in 1876 in a volume which is the most impressive revelation of the domestic life of the period on its highest stage. Its pervasive comments on public affairs make it a "source book" of inestimable value. No one knows John Adams who does not know these letters. The public and the private conjugal love, the children, the farm, the neighbors, the Boston news, the anxieties and encouragements of war, all crowd together. The personal and most precious passages cannot be torn from their context; but a few extracts will reveal the minds of the writers and the spirit of the times.

Abigail Adams, August 15, 1774 (just as her husband had started for the First Continental Congress at Philadelphia): "I Was much gratified upon the return of some of your friends from Watertown who gave me an account of your social dinner and friendly party. May you return merit and meet with the grateful acknowledgements of every well-wisher of their country. . . . The rocks and quicksands appear upon every side. Did ever any state regain its liberty when once it was invaded, without bloodshed? I cannot think of it without horror. . . . Yet Sparta ought to have reflected, says Polybius, that 'as there is nothing more desirable or advantageous than peace, when founded in justice and honor, there is nothing more shameful, and at the same time more pernicious, when attained by bad measures and purchased at the price of liberty'." *September 24:* "There has been in town a conspiracy of the negroes. It is kept pretty private, and what steps they will take in consequence of it, I know not. I wish most sincerely there was not a slave in the Province. It always appeared a most iniquitous scheme to me—to fight ourselves for what we are daily robbing and plundering from those who have as good a right to freedom as we have. You know my mind upon this subject."

John Adams replies, October 7, 1774—"I had the characters and tempers, the principles and views of fifty gentlemen, total strangers to me, to study, and the trade policy and whole interest of a dozen provinces to learn, when I came here. There is a great spirit in the Congress. But our people must be peaceable. Let them avoid war *if possible—if possible.* I say, Mr. Revere will bring you the doings of the Congress, who are now all around me debating what advice to give to Boston and the Massachusetts Bay. . . . The esteem, the affection, the admiration expressed for the people of Boston and the Massachusetts, and the fixed determination that they shall be supported, were enough to melt a heart of stone." October 9: "The business of the Congress is tedious beyond expression. Every man in it is a great man, an orator, a critic, a statesman; and therefore, every man upon every question has shown his

oratory and his political abilities. Business is spun out to an immeasurable length."

June 17, 1775—". . . I can now inform you that the Congress has made choise of the modest and virtuous, the amiable, generous, and brave George Washington, Esq., to be general of the American army, and that he is to repair as soon as possible to the camp before Boston. This apparently will have a great effect in cementing and securing the union of the colonies. I hope the people of our province will treat the general with all that confidence and affection, that politeness and respect, which is due to one of the most important characters in the world. The liberties of America depend upon him in great degree....

I have found this Congress like the last. When we first came together, I found a strong jealousy of us from New England, and Massachusetts in particular; suspicions entertained of designs of independency, an American republic, Presbyterian principles, and twenty other things. Our sentiments were heard with great caution. But the longer we sat, the more clearly they saw the necessity of pushing vigorous measures. It has been so now. Every day we are more convinced that the designs against us are hostile and sanguinary, and that nothing but fortitude, vigor and perseverence can save us. But America is a great unweildy body. Like a coach and six, the swifter horses must be slackened and the slowest quickened, that all may keep an even pace."

Abigail replies, June 18, 1775—"The day—perhaps the decisive day—is come, on which the fate of America depends. My bursting heart must find vent at my pen. I have just heard that our dear friend, Dr. Warren, is no more, but fell gloriously fighting for his country. Great is our loss. He has distinguished himself in every engagement, by his courage and fortitude, by animating the soldiers, and leading them by his own example. The battle began upon our entrenchments, upon Bunker's Hill, Saturday morning about three o'clock, and has not ceased yet, and it is now three o'clock Sabbath afternoon. It is expected they will come out over the neck tonight, and a dreadful battle must ensue."

Abigail Adams, March 31, 1776—"I long to hear that you have declared an independency. And, by the way, in the new code of laws which I suppose will be necessary for you to make, I desire you would remember the ladies and be more generous and favorable to them than your ancestors. Do not put such unlimited power into the hands of the husbands. Remember all men would be tyrants if they could. If particular care and attention is not paid to the ladies, we are determined to foment a rebellion, and will not hold ourselves bound to any laws in which we have no voice or representation."

John Adams, July 3, 1776—"Yesterday the greatest question was decided which ever was debated in America; and a greater perhaps never was nor will be decided among men. A resolution was passed without one dissenting colony 'that these United Colonies are and of right ought to be free and independent states'. You will see in a few days a Declaration setting forth the causes which have impelled us to this mighty revolution, and the reasons which will justify it in the sight of God and man. When I look back to the year 1761, and recollect the arguments against Writs of Assistance. . . .I am surprised at the suddenness as well as greatness of this revolution."

Domestic Life (1770 – 1774)

The letters continue to the time when John Adams signed the treaty of peace at Paris in 1783. Meanwhile before 1774 their five children were born, three sons and two daughters, the oldest son being John Quincy Adams. For most of that early period the family continued to live in Braintree; but for a few years the home and office were transferred to Boston, and John Adams became a citizen of Boston. It was as such that he was elected to the General Court in 1771, his first entrance upon public or official life beyond being a selectman of Braintree. He had no ambition for public life, and his wife had no such ambition for him. When he talked over his election to the General Court with her, she, "who had always encouraged me, burst into a flood of tears, and said she was very sensible of all the dangers to her and our children,

as well as to me, but she thought I had done as I ought, she was very willing to share in all that was to come, and to place her trust in Providence."

He devoted himself assiduously to his profession, and became one of the most successful lawyers in the Province. "He was as honest a lawyer as ever broke bread," wrote Jonathan Sewell long afterwards, harking back to this time; and he was fast forging to the front.

Public Life (1763 – 1765)

When compelled by his sense of duty to enter public service, "I was," he wrote, "throwing away as bright prospects as any man ever had before him." He was slow to do it. He was never rash; he was not a radical like Samuel Adams; he was not like him, a born agitator; he was not a natural leader of men. As late as 1772 he registered a pledge "not to meddle with public affairs." The fiery Otis reproached him for his lukewarmness. "Dancing from Boston to Braintree and from Braintree to Boston, moping around the streets of this town, seemingly regardless of everything but to get money to carry you smoothly through the world!" This was unjust. He was sincerely devoted to the cause of the colonies; he was studying profoundly the principles involved; he was writing energetic letters to the newspapers; and he was becoming the recognized spokesman for his fellow citizens of Braintree. The resolutions which he drew up in 1765, protesting against the Stamp Act, carried unanimously in the town meeting, were adopted by forty other towns as instructions to their respective representatives. When Hutchinson, then chief justice, prevented the opening of the courts in Boston, and the transaction of business without stamps, Adams was associated with the venerable Jeremiah Gridley and James Otis as counsel for the town of Boston in support of a memorial against the action. He grounded his argument on "the invalidity of the Stamp Act, it not being in any sense an Act, we having never consented to it." That became the central colonial position from that time to the day of independence,—the injustice and unlawfulness of legislation, especially for taxation, over per-

sons not represented in the legislature. It did not take John Adams long to see where that led, since there was no chance that Colonial representation would be conceded. On the general issue he was moving rapidly to Samuel Adams's side. In one of his choleric moments he exclaimed that "there was no more justice left in Boston than there was in hell," that he "wished for war" and that Britain "might be brought to reason or to ruin;" although he had misgivings about this language as "boyish and raw."

Relations of Samuel and John Adams (1773–1774)

It would be unjust to present John Adams as the statesman of the Revolution without distinct recognition that up to the Declaration of Independence his great kinsman Samuel Adams was the leading figure. Samuel Adams was a born democrat and a born revolutionist. When he took his Master's degree at Harvard, his thesis was on "Whether it be lawful to resist the Supreme Magistrate if the Commonwealth cannot be otherwise preserved." Like John Adams, he thought of entering the ministry; he thought of the law; his son studied medicine with Dr. Warren. Samuel Adams's father was a man of higher social position than John Adams's father. He was a business man, a maltster, a man of importance in the commercial life and the political life of Boston; and finally the son joined the father and then succeeded him in the management of the malt-house in Purchase Street. But he was more interested in politics than in business, and the business came to grief. His thrifty and efficient wife averted household calamity; and he was made tax collector. He gave up pretense of private business and devoted himself solely to public affairs, profoundly respected by his fellow-townsmen for his incorruptible character and singleness of purpose. He was an assiduous reader of history and English politics. He was a more religious man, at least a much more orthodox man, than John Adams, and liked to sing psalms as well as to moderate the town meetings. Politics and religion with him went hand in hand.

He was an eighteenth-century Roundhead of the robustest and noblest nature.

In the preparation of his reply to Hutchinson in 1773, Samuel Adams had taken John Adams into counsel, for he respected his superior knowledge of law and political theory. It was at his suggestion that John Adams had been associated with Gridley and Otis as counsel for the town of Boston in the protest against Hutchinson's closing of the courts at the time of the Stamp Act. It was undoubtedly at his urging that John Adams was made one of the five Massachusetts delegates to the Continental Congress at Philadelphia in 1774. The five delegates selected at Salem for Philadelphia were James Bowdoin, Thomas Cushing, Samuel Adams, John Adams and Robert Treat Paine.

In 1817, nine years before his death, John Adams in his graphic letters to William Tudor depicting critical events in Boston before 1775, paid memorable tribute to his great Massachusetts associates. "James Otis, Samuel Adams and John Hancock," he wrote, "were the three most essential characters; and Great Britain knew it, though America does not. The British ministry had sagacity enough to discriminate for inexorable vengeance the two men most dreaded by them, Samuel Adams and John Hancock; and had not James Otis been either dead or worse than dead, his name would have been at the head of the triumvirate. James Otis in 1761 electrified the town of Boston, the province of Massachusetts Bay and the whole continent more than Patrick Henry ever did in the whole course of his life. These three were the first movers, the most constant, steady, persevering springs and agents, and the firmest pillars of the whole Revolution. Without the character of Samuel Adams, the true history of the American Revolution can never be written."

In the First Continental Congress (1774)

Samuel and John Adams had never been outside of Massachusetts before they left for Philadelphia on the tenth of August, 1774. Bowdoin was prevented from going. The other four delegates departed "in consider-

able state"; and their progress through Connecticut, New York, and New Jersey was marked by popular ovations which avouched the deep sympathy of the people with their mission. Just before entering Philadelphia they were met by a group of the Philadelphia Sons of Liberty, who came to caution them against radical utterances, as rumor from proper Boston folk which preceded them had it that they were desperate adventurers. It was said that Mr. Cushing was a harmless kind of man, but poor. Samuel Adams was an artful man, dependent upon his popularity with the low and vulgar for his living. John Adams and Mr. Paine were two young lawyers of no great weight or reputation. Even shrewd old Joseph Hawley warned John Adams before they started not to forget the opinion prevalent in other colonies that the Massachusetts gentlemen were rather dictatorial in the leadership they took in continental measures, and were apt to assume "big and haughty airs."

The fear at Philadelphia was that their accent on independence would be far too strong. The good sense and good manners of the Massachusetts men quickly allayed suspicion and won confidence. The Southerners were much bolder in their talk; and John Adams liked it. On the whole, no delegation played a stronger part than the Massachusetts delegation. Samuel Adams brought a greater reputation than any other man in the Congress; and both he and John Adams were on the committee which framed the Congress's Declaration of Rights. John Adams preferred to include an appeal to the general idea of natural right, such as had been clearly stated by Samuel Adams at the beginning of his report On the Rights of the Colonists in 1772, clearly echoing John Wise; and as was broadly laid down two years afterwards in the Declaration of Independence. But Pennsylvania and New York were not prepared for such a step; and it was concluded that no grievances should be stated having their origin beyond acts of Parliament passed since 1763. What was declared about taxation without representation was only what had been said again and again in Massachusetts. But the Massachusetts men went home feeling that they no longer stood

exposed alone, but that their cause had been made the cause of eleven colonies.

The ability and temper of the Congress was such that John Adams wrote home: "The magnanimity and public spirit which I see here make me blush for the sordid, venal herd which I have seen in my own province. . . .Every question is discussed with a moderation, an acuteness, and a minuteness equal to that of Queen Elizabeth's Privy Council."

Influence in Massachusetts (1774–1775)

John Adams returned from the Continental Congress to take his place in the Provincial Congress, then sitting at Watertown, and to enter upon a vigorous polemical discussion in the columns of the *Boston Gazette* on the origin of the controversy between the Colonies and Great Britain. These letters, afterwards more than once republished as *A History of the Dispute with America,* continued until the first guns at Lexington and Concord.

Immediately after April 19, John Adams went over the battle-grounds, and departed at once for the new Congress at Philadelphia, finding the country everywhere ablaze. He opposed strenuously the proposal of another petition to the King; the time should be devoted to preparation for the inevitable conflict. Soon followed the adoption by Congress of the army gathered at Cambridge as a Continental Army, and the appointment of Washington (on John Adams's nomination) on the very day of Bunker Hill as its commander. This nomination of the Southern military leader by a New England man was a masterstroke, one of the strongest actions in John Adams's life. His energetic declarations for independence provoked the resentment of John Dickinson and others not ready for such bold talk, and many avoided him in the Philadelphia streets. The Adamses of Massachusetts and the Lees of Virginia were the "dangerous minority."

Adams had evidences of popular approval, and his initiative in bringing a navy into existence was supported. "From my earliest entrance into life," he now wrote, surveying the situation, "I have had upon my mind a strong impres-

sion that things would be wrought up to this present crisis. I saw from the beginning that the controversy was of such a nature that it never would be settled. This has been the source of all the disquietude of all my life. It has lain down and risen up with me these twelve years. I would cheerfully retire from public life forever, renounce all chance for profits or honors, to obtain peace and liberty. But all must go before I can surrender the rights of my country to a free constitution. I dare not consent to it."

He had burned his bridges; and Massachusetts was firm behind him. At the end of 1775, the Provincial Council appointed him chief justice of the superior court, raising him over the heads of several of his seniors and thus attesting the high esteem in which his legal abilities and his patriotic service were held. His active assumption of the duties of the office was to depend on the claims upon his time by Congress.

Statement of Principles (1775)

He was commissioned to prepare for the hour an appeal to be issued by the authorities as a comprehensive review of the causes of the existing conditions, and an earnest appeal to all classes to unite in the maintenance of the provincial government. This address to the legislators, the courts, the churches and the educators of the Province was one of the most memorable papers that Adams ever wrote.

"As the happiness of the people," he said at the beginning, "is the sole end of government, so the consent of the people is the only foundation of it in reason, morality, and the natural fitness of things. Every act of government, every exercise of sovereignty against or without the consent of the people is injustice, usurpation, and tyrany. Supreme and sovereign power rests always in the body of the people. When kings or governments prostitute the powers entrusted to them to the purposes of oppression and to subverting a free constitution, they are no longer to be deemed magistrates vested with a sacred character, but become public enemies, and ought to be resisted."

This was six months before Jefferson penned the Declaration of Independence in words of the same import; and the

cardinal principle of Jefferson that "democracy and ignorance can not go together," which became the principle of his later crusade for public education in Virginia, is here enforced in the words: "As a popular government can only be supported by universal knowledge and virtue in the body of the people, it is the duty of all ranks to promote the means of education for the rising generation."

Relations with Jefferson (1773 – 1775)

Thomas Jefferson entered Congress as a deputy from Virginia, June 21, 1775, just as Washington left for Cambridge and the news came from Bunker Hill. He was only thirty-two years old. But he had been for six years a member of the House of Burgesses. In 1773 he and half a dozen of his associates, "not thinking our old and leading members up to the point of forwardness and zeal which the times required," had instituted committees of correspondence like those just organized in Massachusetts, and before learning of those. In the spring of 1774 this group agreed that they "must boldly take an unequivocal stand in the line with Massachusetts"; and they passed startling resolutions, one in behalf of consulting the other colonies about holding annually a general conference, and another for a Virginia convention at Williamsburg in August. For that convention Jefferson drafted instructions to the delegates to be sent to the General Congress at Philadelphia.

This "Summary View of the Rights of British America" was so radical that the convention substituted something milder. But it was so well liked by Peyton Randolph, President of the Continental Congress, and others there that it was printed in pamphlet form; and it was at once reprinted in London, noticed by Burke, and ran rapidly through several editions. We may be sure that nobody at Philadelphia greeted it more warmly than John Adams, and that nobody more warmly approved the manifesto which Jefferson drafted, as his first act in Congress, immediately after the battle of Bunker Hill, setting before the world the justification for the rebellion. This statement was too vigorous for Dickinson and his group, and they toned it down. Jefferson's mind had described the same course

as that of John Adams. "I am sincerely one of those Jeffersonists who still wish for a reunion with their parent country. . . .But I am one of those too who rather than submit to the rights of legislating for us assumed by the British Parliament and so cruelly exercised, would lend my hand to sink the whole island in the ocean."

Jefferson had a warm admiration for the local political institutions of New England, especially for the town meeting. He declined reelection to Congress in 1776 to devote himself to the reorganization of Virginia, feeling that "our whole code must be revised and adapted to our republican form of government." Jefferson's views were shared by many of his Virginia colleagues, who felt that their aristocratic system must somehow be counteracted for the good of the colony and the country.

Influence on Policies (1775)

They discussed it with the New England men, and especially with John Adams, who felt strongly on the subject. An efficient union could be formed, he held, "only on popular principles, which are so abhorrent to the inclinations of the barons of the South and the proprietary interests of the Middle States. . . .Thirteen colonies under such a form of government as Connecticut, or one not quite so popular, leagued together in a faithful confederacy, might bid defiance against all the potentates of Europe if united against them." Richard Henry Lee urged Adams to develop these ideas in a letter for use in Virginia; and in November, 1775, Adams prepared such a letter, which was carried to Virginia by Lee and circulated among his friends in manuscript. It was followed by a pamphlet by Adams, which was printed anonymously, under the title of *Thoughts on Government Applicable to the Present State of the American Colonies,* which proved of immense service to Jefferson and Lee and their reforming friends. Adams similarly helped the North Carolina democrats engaged in reforming their constitution.

He was also looking abroad. He had got well over the fear of the "turbulent Gallics" which had haunted him in his old Worcester days, when he was dreaming of com-

plete English supremacy in America, and saw that it was those same Gallics who could now help most to break the English power over the colonies. He saw that France, still lamenting her humiliation at Quebec, would grasp the opportunity for retaliation; and he was the first to urge the sending of ambassadors to France to propose an alliance. In the autumn of 1775, with Samuel Chase he made a motion for sending ambassadors. Thirty years afterwards he wrote to Dr. Rush that "the grimaces, the agitations and the convulsions were very great." In a year Franklin was in Paris; and in two years John Adams was there.

Views on Independence (1776)

The Massachusetts delegates to Congress in 1776, and signers of the Declaration of Independence, were John Hancock, Samuel Adams, John Adams, Robert Treat Paine, and Elbridge Gerry. At the beginning of 1776 some of the colonies were averse to any irreparable breach with the mother country.

May 15, 1776, John Adams brought forward a resolution, in accordance with his personal convictions for a year, urging the respective colonies which had not already done so to organize effective state governments for their own safety and welfare and those of America in general; and this resolution was adopted. On that very day the Virginia Convention instructed their delegates to propose Independence; and strong words came from Massachusetts. June 7, Richard Henry Lee moved the resolution, and John Adams seconded it. In the memorable debates of the month that followed, John Adams took the most powerful part. Webster has made the occasion live for us in his great oration on Adams and Jefferson; and Jefferson himself in his later life said in the presence of Webster, who repeated the word in his oration: "John Adams was our colossus on the floor. Not graceful, not eloquent, not always fluent in his public addresses, he yet came out with a power both of thought and of expression which moved us from our seats."

The committee appointed to prepare the Declaration consisted, in the order of their choice by ballot, of Thomas

Jefferson, John Adams, Benjamin Franklin, Roger Sherman, and Robert R. Livingston. By common consent, as well as by the implication of the ballot and the desire of his colleagues, the office of drafting the Declaration fell to Jefferson. He submitted his draft to Franklin and Adams, but they suggested only slight alterations. Congress itself, in the course of its debate, made certain changes which were improvements. The Declaration was adopted with substantial unanimity on July 4.

John Adams wrote at the time that the Declaration decided "the greatest question which was ever debated in America." No man had done more than he to effect the Declaration in the two years preceding it by shaping the mind of the country for the crisis. He regarded it as the consummation of all his labor since he came into public life, "the end of his creation." It was certainly the culmination of the heroic and glorious period of his life; although a quarter century of public service remained for him.

He has been called the "Atlas of American Independence." The real Atlas, as another has said, was the great leader whom he had nominated to the command of the army.

Opinions on Washington (1775 – 1799)

At first a strong believer in Washington, he soon became his lukewarm supporter and then his pronounced critic. A few months after the Declaration of Independence, he "would be glad to see Congress elect all the general officers annually," a foolish judgment understood to be aimed at Washington. At the time of the Saratoga campaign, both he and Samuel Adams were strong supporters of Gates, who was John Adams's personal friend, and "sick of Fabian systems." "My toast," John Adams said, with a lack of military sagacity which we can measure even better than his contemporaries, "is a short and violent war," and he counted the people's reverent affection for Washington a "dangerous idolatry." His words about Washington, then and afterwards, were such as we do not like to remember. We do like to remember that when

Courtesy of The Halliday Historic Photograph Co.

BIRTHPLACE OF JOHN ADAMS, QUINCY, MASS.

as Vice-President he came into close touch with Washington and witnessed the steadfastness and power with which he met his great responsibilities, often under wanton criticism, he changed his tone, and his own attitude became one of profound sympathy and admiration.

To the end of his life he could not endure to hear Washington spoken of as the Father of his Country or the Founder of the American Republic. "These ascriptions belong to no man, nor to any twenty men." A certain envy and frequent disparagement of Washington constitute an unpleasant blot upon Adams's record.

John Adams was not a good judge of men, lacking in this respect the penetration of Samuel Adams and Jefferson. Two temperaments more unlike than those of Washington and Adams it would be hard to conceive. They never seem to have fraternized warmly during the Revolution nor during Washington's presidency; and when the talk began of sending Adams on his foreign mission in 1777, Washington did not think he would make a good diplomat, although in this judgment he was not wholly right.

Yet neither in diplomacy nor in executive functions was John Adams in his element; his preeminence was in championship and legislation. In his years in Congress he appears at his best. His character and carriage were then most attractive. With growing importance came growing egotism, though never slackness in duty or devotion.

Influence on the Massachusetts Constitution (1777 – 1780)

He was appointed commissioner to France in December, 1777, to join there Franklin and Arthur Lee. He had but just returned to Boston from Philadelphia, where his services in Congress during the period following the Declaration were devoted to promoting the interests of the army, federal organization, and foreign policy. He sailed from Boston in February, 1778, accompanied by his young son, John Quincy Adams; and he was absent from Massachusetts from this time until 1788, barring a brief visit to Massachusetts from August to November, 1779.

This brief period, however, was of great significance in his life and in the life of Massachusetts. For, just as he reached home, a convention was called to frame a constitution for the state, and he was chosen a delegate. The course of that convention and the great services of John Adams are treated in detail elsewhere in this volume. He was received with great honor and deference in the convention; and by its invitation he gave at the opening a general address on government, in which he did much to reconcile discordant elements. He was made a member of the committee appointed to submit a preliminary draft for the constitution; and the leading features of that draft, with its preliminary bill of rights, were his work.

It is not too much to say that John Adams was the father of the Constitution of Massachusetts as truly as James Madison was the father of the Constitution of the United States. The wisdom and success of the new Constitution are attested by the fact that it won the approval alike of James Bowdoin and Samuel Adams. As the first experiment in constitution-making by a special convention, whose work was submitted to popular vote, it is of high significance and had its influence on other state constitutions and upon the National Convention of 1787.

When John Adams was eighty-five years old, only half a dozen years before his death, he was elected by his fellow citizens of Quincy a delegate to the second constitutional convention of Massachusetts, called to effect certain changes in the state constitution. He was even elected president of the convention, as an expression of the honor in which Massachusetts held him. But he wisely declined the office, and took no active part in the debates. He did endeavor to secure such a modification of the article in the bill of rights as would do away with recognition of distinct modes of religious faith by the state. In this good purpose he failed. Massachusetts was not yet ripe for it.

Relation to the Federal Constitution (1787)

The Massachusetts delegation at the National Convention of 1787 had not the distinction nor influence of the

delegation in 1776. John Adams and Thomas Jefferson in 1787 were both in Europe, the one ambassador to England, the other ambassador to France. Otherwise both would undoubtedly have played a conspicuous part in the deliberations at Philadelphia. Both, while in Europe, studied and reflected much upon government and the instruments of government; and Adams in London published a careful work on the American Constitutions, for the enlightenment of England.

Both Adams and Jefferson accepted the new national Constitution cordially, although both for different reasons would have wished it different in particulars. Jefferson's trouble was the more fundamental; it was its lack of a bill of rights declaring the great principles to which his life was devoted. This John Adams had drafted for the Massachusetts constitution, and the lack was immediately supplied in the form of amendments. Indeed the first ten amendments to the national Constitution, often popularly spoken of as a bill of rights, touch hardly a point which had not somehow been covered by John Adams in the Declaration of Rights prefixed to the Constitution of Massachusetts. The Frame of Government which follows this Declaration of Rights follows precisely the same course presently adopted at Philadelphia, defining successively the legislative, executive, and judiciary power. John Adams was justified in saying that in its structure the new national Constitution presented little new.

It should also not be forgotten in what high degree the National Convention of 1787 profited directly from John Adams's labors. *Defense of the Constitutions of Government of the United States of America,* published in London in 1787, rendered great educational service here. He prepared it because, as he says in his preface, he had "long seen the facility with which philosophers of greatest name have undertaken to write of American affiairs without knowing anything of them." The first volume, the preface of which was dated from his house on Grosvenor Square, January 1, 1787" (the other two volumes were not completed until late in 1787), was immediately republished here, editions appearing in Philadelphia, New York, and

Boston; and it was carefully studied by the members of the Constitutional Convention and had distinct influence. Washington's own copy, with his autograph on the title-page, is preserved among the books from his library now in the collection of the Boston Athenaeum. In view of these things, as well as Adams's influence upon the constitutions of New York, Maryland, and New Hampshire, together with his early contributions to constitutional reform in Virginia and North Carolina, it is not too much to claim that only to Madison do we owe more for the Constitution of the United States than to John Adams.

Adams in Europe (1779–1788)

When John Adams returned to Paris at the end of 1779, it was with two commissions: (1) to negotiate a treaty of peace; (2) whenever Great Britain should accept the inevitable, to negotiate with her a treaty of commerce. He spent a year in Holland, working for the recognition of our independence by that country and for a loan. In the face of every imaginable opposition, he secured both, and then rejoined Franklin in Paris. Wherever he was, in Paris, at The Hague, in London, he was the prince of publicity agents, utilizing the press, the pamphlet, and every available means to dispel the almost universal ignorance as to what America was and what it was bound to be politically and commercially, which ignorance was the chief hindrance in our appeals to Europe for sympathy and aid.

The treaty of peace was signed September 3, 1783. Jay and Laurens having come to Paris joined Franklin and Adams in the final negotiations. The years had been stormy ones for John Adams. He constantly rubbed Vergennes the wrong way; and with warrant he thoroughly distrusted him. Vergennes came to hate him; and Franklin felt constrained to write to the president of Congress about the friction. Adams did not get on well with Franklin himself, and but for Franklin's tact and self-control, there would have been open rupture; for Franklin came to heartily dislike Adams. John Adams was not an easy man with whom to work in harness, and of all men he and Franklin were least suited for team work. He neglected to consult

Franklin, on the alleged ground of Franklin's "indolence and dissipation." In a word, he was a startling representative at the beginning of things of "the new diplomacy." He brought to the European courts and council chambers a novel manner. He was not an international man, like Franklin or Jefferson, but an American first, last, and all the time; but it cannot be denied that he brought to the Paris negotiations contentions that were imperative and that were successful, in some of which John Jay sided with him against Franklin himself.

Adams remained in Paris until the beginning of 1785, when he took his place as minister to Great Britain, where he remained for three years. Happily his wife and daughter came to join him in Paris in the summer of 1784, remaining until the end. Jefferson came over to succeed Franklin; and both in Paris and in London Adams and he saw much of each other and got on well together. Jefferson was keenly sensitive to some of Adams's limitations, but sturdily respected him. Both were happy in Paris, and both hated the existing British officialdom, which in its recent humiliation was naturally none too cordial. Adams was constantly snubbed at court and in the public councils; and Jefferson said that the English "required to be kicked into common good manners." Nevertheless, Adams plodded on with his work, patiently and effectively. He earned the respect of the respectable; and in the summer of 1788 he was back in his beloved Massachusetts home, presently to become Vice-President of the United States.

Vice-Presidency (1789 – 1797)

The Vice-Presidency Adams pronounced at the time "the most insignificant office that ever the invention of man contrived, or his imagination conceived." Nothing, certainly, could give less opportunity for the display of his peculiar and striking qualities. However he worked through the eclipse creditably and usefully for eight years, when he succeeded Washington as President. The source of Adams's troubles now and their continued cause was Alexander Hamilton, who had come also into conflict with Jefferson when both were together in Washington's cabinet, in a

way fundamental and historic. The conflict between Hamilton and Jefferson, however, was a conflict of great principles; the conflict between Hamilton and Adams, in the beginning at least, was a personal conflict. It would have been impossible when it was over for Adams to place Hamilton's bust in his home, as Jefferson did. Hamilton had a deep personal dislike for John Adams, and his prejudice, whether born of envy or of honest feeling that Adams was not fitted for his high position, need not here be considered. As a clever political manipulator, he engineered the first vote for Adams as Vice-President in a way designed to curtail his prestige; and he influenced the vote for him as President in ways which made the result still more humiliating and changed Adams's feeling toward him into a violent and abiding resentment. This mutual antipathy and distrust between the two leaders of the Federalist party was the occasion of John Adams's woe.

President Adams's Cabinet (1797–1801)

It is customary to speak of Adams's administration as a failure; and such in many ways it was. The four years of his presidency were a tumult; and the strong Federalist party, which elected him in 1796, was in 1800 a wreck. Nevertheless, if his administration was a failure, it was not he who was responsible; it failed, so far as it did fail, through the envy, malice, disloyalty, and false ambitions of his associates, who were thinking of party and themselves, when he was thinking of his country and striving sturdily to do his patriotic duty. He is in that mournful period like a strong and noble figure in some Greek tragedy, fighting against fate, and often falling, though unyielding, through Fate's remorseless blows.

His primary mistake was in taking over most of Washington's cabinet, instead of selecting a new cabinet of his own. Timothy Pickering became his Secretary of State, Oliver Wolcott, Secretary of the Treasury, and James McHenry, Secretary of War. He said afterwards that Washington had "saddled" him with these three secretaries; but that was when he was angry, and it is not the whole story. All of them were disloyal to him, and showed it in ways

so dishonorable, so ruthless and so fatal to the welfare of his administration as to seem almost incredible, and without counterpart in our political history. They respected Washington as they did not respect Adams, although Pickering during the Revolution had always disparaged Washington, and they were all henchmen of Hamilton, persistent place-hunters who owed to Hamilton their positions and promotions and were accustomed to look to him for orders. Pickering appears here as a jejune Pharisee, who had failed in everything until at forty-six he began his hunt for a political job under the great man whom he had traduced; Wolcott appears as a suave sycophant and drudge; McHenry, compared with these two, was a dilettante, but he had served in the Maryland senate and the Constitutional Convention, and tried for a diplomatic post in Europe before applying to Hamilton for some position in which he could indulge his "literary propensities." Like Wolcott, he idolized Hamilton; Pickering idolized nobody.

All looked to Hamilton, not to Adams, as their chief. They regularly reported to him the plans and purposes of the administration, gained from their confidential cabinet positions; and he shamelessly accepted and invited their reports as contributions to his party capital, however opposed his schemes to the President's desires. At no point in his career does Hamilton appear in so unpleasant a light as in his dealings with John Adams and his administration. Common honesty would have commanded all the ministers to resign when they found themselves out of harmony with the administration; but Hamilton did not suggest it, and all stayed on. It was not until the last year of his administration that Adams discovered their treachery, if he ever fully discovered it. Then he dismissed McHenry stormily and Pickering decorously, and put Marshall and Samuel Dexter into their places. Wolcott, as treacherous as his colleagues, but more adroit, remained.

President Adams's Policy (1797–1801)

The Alien and Sedition laws, which Jefferson so effectually overthrew and which it has long been fashionable to execrate, although in our time we have witnessed epidemics

akin to them, were sanctioned by John Adams, and years afterwards he pronounced them salutary. These did not trouble his party, for most of the Federalists approved them. What won their disfavor and their wrath was his course in keeping them out of war with France.

If ever there was provocation for war, the United States had it at that time, as concerned both France and England. The course of the French foreign office, especially, under Talleyrand, was so offensive, insulting, and corrupt, his treatment of our ambassadors so intolerable, that the President himself, supported by the universal popular indignation, felt compelled to military preparations for possible contingencies. Washington accepted the command of a provisional army, with the understanding that he should not be called to active service unless there should be imperative need; and he named Hamilton, Pinckney and Knox as his general officers. The graduation of these officers brought new strain between Adams and Hamilton. The constitutional authority to determine the rank of officers resided with the President; and the President distinctly preferred Knox for the first place, as the more experienced military man, and so declared. Hamilton, whose dearest ambition was for military distinction, was peculiarly anxious for this leadership; and the secretaries, always ready to thwart Adams for Hamilton's sake, urged Hamilton's claims secretly and strenuously upon Washington, who was personally predisposed in his favor. When Washington finally expressed his desire with emphasis, Adams would not oppose him, nor would it have been politic; but the clash intensified the bitterness.

Peace with France (1800)

The army and its generals were not destined to come into operation. A better mind came to Tallyrand, a perception probably that he had gone too far, and it was reliably communicated to Adams that he would receive becomingly a new ambassador. The session of Congress was approaching. The President asked the advice of the Cabinet on the proposal. The Cabinet officers and the generals were for a "spirited" policy; they really wanted war. The proposal to nominate a new minister to France was

not pleasing to them; and they united in drafting suggestions to the President for his opening speech to Congress. It would be "an act of humiliation," to send another minister; but if France should send a minister to America to negotiate he would be received with honors. But the President did not give them heed. He frankly and clearly reviewed the events, declared that under the circumstances vigorous preparations for war were indispensable, but that our government adhered always to a "humane and pacific policy." It was for France to take the requisite steps for the restoration of harmony. "Harmony may be restored at her option. . . .In demonstrating by our conduct that we do not fear war in the necessary protection of our rights and honor, we shall give no room to infer that we abandon the desire of peace."

In the midst of the bluster and insanity, the President was sensible and sane. He knew that there was no adequate ground for war, and that war could bring only evil to the country; he knew that the whole Republican party under Jefferson was opposed to the war, and that the country could not be united; and he had come to know English politics too well to yield to the obsession for England which inspired much of the fury against France. Yet the Federalist fury against himself for his conciliatory message was intense; and it was intenser when after further assurances he proceeded to nominate a minister to negotiate with France. "We have all been shocked," Pickering wrote to Hamilton. "I beg you to be assured that it is wholly his own act, without communication with any of us." "Had the foulest heart and the ablest head in the world been permitted to select the most embarrassing and ruinous measure," Sedgwick wrote to Hamilton, "perhaps it would have been precisely the one which has been adopted." Hamilton was statesman enough to check the measures which his followers in Congress proposed to block the President's program for a commission for France; and after vexatious embarrassments working relations were reestablished.

Adams had cleared the air. His mind had throughout been wholly concerned with the interests of the country, with no thought of himself or of his party; and he had rendered one of the greatest services to the country which

any President ever rendered. It was with justifiable and honorable pride that he said fifteen years afterwards, "I desire no other inscription over my gravestone than: 'Here lies John Adams who took upon himself the responsibility of the peace with France in the year 1800."

Presidential Election of 1800

It has been often said that the French mission was the death blow of the Federalist party. The party fell because it was split: its Hamiltonian leaders were wrong and John Adams was right. The appeal was to history; and history has justified him. The presidential election was at hand. Hamilton was compelled to face the fact (especially after a tour of investigation through New England) that no other Federalist leader could score so many votes as Adams; and he bowed to the inevitable, although most ungraciously. He wrote an insane pamphlet, embodying the statement that he should support Mr. Adams, but devoted to the most censorious review of his administration, in the preparation of which he was helped by Pickering, McHenry, and Wolcott, the last actually in the Cabinet at the time. His prudent friends urged him not to publish it; and he was considering its merely private circulation, when Aaron Burr, who somehow had obtained a copy, dishonorably gave it out, and it was spread broadcast, becoming a powerful engine in the Republican campaign and sealing the Federalist doom.

For the first time Adams realized the extent of Hamilton's perfidy, and his feeling toward him from then on was increasingly bitter. In his early retirement at Quincy, he began to prepare a reply to Hamilton; but he got sick of the task and did not finish it, though he wrote long afterwards: "Whether Hamilton was a man wiser and more righteous than myself I shall endeavor to furnish posterity with the information necessary to form an impartial and enlightened judgment."

He never got sick of hating Hamilton; and he once surveyed Hamilton's life as an illustration of his contention that "one of the first decisive symptoms of insanity is knavery." "I knew so much of the malice of Hamilton

against Burr," he wrote to Dr. Waterhouse in 1811, "and his indefatigable exertions to defame him, that I wondered a duel had not taken place seven years before it did. I could have produced such a duel at any moment; but I kept the secrets inviolable."

The close of Adams's administration was sorry. The petulance with which he left Washington without taking his appropriate part in Jefferson's inauguration is capable of a more creditable explanation than the common one; but his auspicious appointment of John Marshall to the chief justiceship does not atone for his proceedings with Marshall in filling offices with Federalists on the very eve of the new administration, into which their terms extended, almost to the dawn of the inauguration day.

Relations with Thomas Jefferson (1797 – 1817)

Jefferson had treated Adams with unvarying courtesy. Even to Adams's personal beratings when he called on him after the election, he had responded with a friendly composure which compelled a change of tone. During his vice-presidency under Adams they did not come into personal collision. When Adams was elected President, Jefferson rejoiced that he had not been "cheated out of the succession by a trick," and he paid warm tribute to him when he himself took his chair in the Senate in 1797. Mrs. Adams expressed pleasure then in Jefferson's own success. Between Jefferson and her husband there had "never been any animosity."

Indeed it is doubtful whether Adams was ever personally drawn more warmly to any of his contemporaries than to Jefferson. He liked him from the time when as a young man Jefferson came into the Congress of 1775; and Jefferson on his part found no man there who in the fateful year which followed reflected so completely as Adams his own impetuosity and resolution. They had been sympathetic comrades in their diplomatic days in Paris and London. During his presidency, Adams tended more and more towards Jefferson's position; and in the great crisis, when Adams's party colleagues were execrating him, they stood together: "I do not believe," Jefferson said,

"that Mr. Adams wishes war with France, nor do I believe he will truckle to England."

Adams indeed would have liked to have Jefferson go on one of the French missions; but both agreed that this would not comport with Jefferson's official place.

More and more after his retirement did Adams gravitate to Jefferson's support. When John Quincy Adams in 1807 finally severed his connection with the moribund Federalist party, his father was in full sympathy with him; and when Pickering at the same time, with his strong English proclivities, came out with a pamphlet arraigning the administration, Adams himself came from his retirement into the public arena with a powerful defense of Jefferson's policies. At the end of Madison's first term, Adams in 1812 heartily supported his reelection, "because I know of no man who would do better." At the same time he voted for Elbridge Gerry for governor of Massachusetts, "because I believe him to be incomparably the most independent, disinterested and capable man for the office," and gave as a distinct reason for his action the fact that war with England seemed impending and the administration should be supported.

The Two Venerable Sages (1817 – 1828)

Honored in his old age by appointment as a presidential elector, he cast his vote for the reelection of James Monroe; and when his son, Monroe's own secretary of state, was elected to the presidency in 1824, it was in the apostolic succession from Jefferson.

In fact, John Adams was never a Federalist of the Hamilton school. He stood much closer to Jefferson in his general principles. He called the Hamiltonians "Hyperfederalists"; and when Dr. Rush, in 1811, was seeking to end Adams's long and unhappy estrangement from Jefferson, occasioned by false reports of something that Jefferson had said or done, he wrote to Rush; "I know of no difference between him and myself relative to the Constitution or to forms of government in general. In measures of administration we have differed in opinion; but

I have raised no clamor nor made any opposition to any of these measures."

The correspondence of Adams and Jefferson, following a silence of ten years or more, and extending to the year of their deaths in 1826, is of distinct historical importance, and in the lives of the two men is of high significance. It reveals the depth of their sympathy and joy in its renewed expression. "I love you with all my heart," Jefferson wrote in one of the later letters; and Adams wrote in 1823, "Nothing revives my spirits so much as your letters, except the society of my son and his family, who are now happily with me." Adams is perhaps the more exuberant, writing a hundred letters to Jefferson's fifty, and usually the longer letters. It was manifestly his chief outside solace in those last years, as he had no great active public interest such as Jefferson had in the creation of the University of Virginia.

The letters cover a wide range,—democracy and aristocracy, agriculture and the Indians, memories of the old days, the question whether they would like to live their lives over again, Christianity and Greek philosophy, death and immortality. Adams's word in one of his letters, "Without virtue there can be no political liberty" deserves to be bracketed with Jefferson's "Democracy and ignorance cannot exist together." In his last letter, written in March, 1826, little more than three months before their death—a letter acknowledged by Adams in April as "one of the most beautiful letters I have ever received"—Jefferson wrote: "It was the lot of our early years to witness nothing but the dull monotony of a colonial subservience, and of our riper years to breast the labors and perils of breaking out of it."

Retirement and Old Age (1801 – 1826)

The quarter century of Adams's retirement in his simple Massachusetts home were years of dignity and of much loneliness. He was devoted to his home and friends and farm, his studies and his correspondence. In 1812 he wrote of his "eleven years in a hermitage at Quincy"; and there were times later when he felt yet more solitary. He undeniably felt a sense of neglect. In Massachusetts,

he wrote, "as soon as a man has done great services, made great sacrifices, and acquired a name, envy runs him down"; and with this Massachusetts spirit, as at the moment he defined it, he contrasted, with questionable warrant, the attitude of Virginia toward her great sons.

In truth, Massachusetts always honored John Adams. His return to his home after the inauguration of Jefferson was greeted by official and personal expressions of respect and affection, in cheering contrast to the inhospitable coldness of the national capital; and to the last he always knew that in his town and his state friends were around him. The death of his wife in 1818 closed a companionship unique in its nobility and greatness, and life could no longer be the same; but he was sustained by an unfailing belief in immortality, to which the comfort in letters from Jefferson also gave strong expression. He was sustained, too, as he surveyed his life, by an unfailing confidence in its uprightness and, as he believed, its wisdom.

He thought much about the stirring early days of the Revolution. Ten years before his death he wrote the graphic letters to William Tudor, picturing such episodes as Otis's speech against the Writs of Assistance, and Samuel Adams before Hutchinson sturdily demanding the removal of the troops. He often wished that he might write a history of the Revolution. Even in 1776 he had written to his wife from Philadelphia, "I feel an inclination sometimes to write the history of the last three years, in imitation of Thucydides." Nothing could have been more useful to later generations; for of all the Revolutionary fathers he had the most vivid imagination and the warmest narrative style. For the many fragments which he did leave us, we are grateful indeed.

More and more his mind was occupied by memories of the heroic days of 1776. As the fiftieth anniversary of the Declaration of Independence approached, the mind of the country was fixed upon the two revered leaders who had been the supreme actors in the great drama. It was still hoped that they might be able with their presence to crown the jubilee. It was too late. They were passing. On the eve of the celebration, when John Adams was already very weak, he was asked for a toast for the

Quincy observance; and he gave "Independence forever." At sunset on the Fourth of July, amid the sound of bells and cannon, heard by other ears but no longer by his own, he died. His last words were, "Thomas Jefferson still survives." But Jefferson had died earlier in the day. It was one of the most eloquent and memorable coincidences in history. In life they were united; in death they were not divided; and their names shall live together evermore.

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WEBSTER, DANIEL.—*The Bunker Hill Monument; Adams and Jefferson; two orations* (Boston, Houghton, Mifflin, 1893)—The latter discourse, delivered in Faneuil Hall, August 2, 1826, was the most memorable of the many eulogies which followed the deaths of Adams and Jefferson in 1826.

WILSON, DANIEL MUNRO.—*Where American Independence Began; Quincy, its Famous Group of Patriots* (Boston, Houghton, Mifflin, 1904)—See pp. 62-105, "The Great Advocate of Independence, John Adams," a markedly able study.

CHAPTER IX

THE MASSACHUSETTS LOYALISTS (1775–1783)

By Lawrence Shaw Mayo

Division by Birth and Region

Every prolonged war produces economic changes that inevitably have their effect upon society. Old fortunes are apt to be increased; new fortunes are certain to be made; and too often at the end of a war those who were in moderate but comfortable circumstances find themselves obliged to practise economies to which they are unaccustomed. This general rule applies to Massachusetts in the American Revolution, but in this case the social upheaval was more violent than usual because the conflict was to a certain extent a civil war.

The earlier chapters of this work have made it clear that the political cleavage between "patriot" and "Tory" did not break into an American-born group on one side and a British-born group on the other. Far from it. In some cases the longer a family had been in the Bay Colony the closer it clung to the British government. In other instances men whose ancestors had come over in the *Mayflower* or the *Arbella* looked forward to independence from almost the beginning of the dispute. Could wealth or lack of wealth have been the basis of the division? At first glance one is inclined to think that it may well have been so; for the majority of the rich merchants of Boston were pro-British in their sympathies. Upon a wider survey he finds most of the well-to-do of the country towns prominent in one way or another among the forces of the liberals. In desperation the investigator is on the point of concluding that there is no satisfactory explanation except

that everyone is born "either a little liberal or a little conservative."

Then it occurs to him to look at the situation from a geographical angle. This procedure seems to yield a fairly convincing theory: the line between patriot and Tory, between liberal and conservative was a line separating agrarian Massachusetts from mercantile and office-holding Boston. Despite the fact that conspicuous Tories were to be found in country towns throughout the province, and despite the fact that the most flagrant outbursts of "patriotic" zeal occurred in the metropolis itself, it seems to be true that in 1775 the country towns were predominantly anti-British, and that the town of Boston was the stronghold of loyalism.

Social Division

The capture of this stronghold by Washington and the American army in 1776 led to an exodus of many of the wealthiest and most aristocratic Boston families. And this exodus left a large vacant space at the top of the social structure. Who was to fill this space? One might have anticipated that it would be pre-empted and occupied by local families whose station in society had been just below that of the departed gentry, especially if these local families were prominent "patriots."

To a certain extent, this proved to be the case, but to a much larger extent, it proved not to be the case. The Warrens of Roxbury and the Adamses of Braintree were naturally drawn into the metropolis and with or without social aspirations were thrust upward to the summit of New England society. This was to have been expected, for they were virtually the middle-class Bostonians who had brought about the ousting of the pro-Britishers. Still they formed but a small fraction of the new metropolitan aristocracy. The greater part of the void was rapidly filled, not by the neighbors of Joseph and James Warren, or of Sam Adams or of John Adams, but by a swarm of out-of-town families from Essex County. Cabots, Gerrys, Grays, Jacksons, Lees, Lowells, Parsonses and Pickerings came to Boston, and not a few of them es-

tablished themselves physically in the places of the departed aristocracy. In one way or another the wealth of the Essex nabobs had been increased rather than diminished by the war and they found it easy to acquire the confiscated homes of the loyalists. Briefly, this was the local social revolution brought about by the War for American Independence.

The Besieged Loyalists

Let us now turn to a less cheerful aspect of this readjustment,—the lot of the losers. The open break between liberals and conservatives occurred on April 19, 1775,—"Lexington and Concord Day." Thenceforth a true conservative was a loyalist, just as a true liberal was a rebel; and it is upon true conservatives that our attention will centre. From the day of Concord and Lexington till March 17, 1776—almost a year—many of them were cooped up on the peninsula of Boston, waiting for a decisive British victory which would end the American rebellion and bring a return to the comfortable way of living to which they had been accustomed. One is apt to think of them as a collection of only well-to-do and gently bred families and individuals. That is the natural point of view toward the followers of lost causes. But to obtain a correct conception of these loyalists one must remember that their numbers included likewise rugged country gentry like General Timothy Ruggles of Hardwick, Edward Winslow of Plymouth and Colonel John Chandler of Worcester; and also a large contingent of unaristocratic farmers, mechanics, and tradespeople.

It is usually estimated that first and last over two thousand loyalists left Massachusetts during the controversy with Great Britain; but those who were in Boston during the siege are said to have numbered only eleven or twelve hundred, including women and children of the loyalist families. Of this aggregation about one hundred were officials—Mandamus Councillors, commissioners and other officers of the customs, and the like; eighteen were clergymen; one hundred and five were refugees from the coun-

try; two hundred and thirteen were merchants and other residents of Boston; and almost four hundred were yokels, mechanics, and tradespeople. If this analysis is correct the besieged loyalists were of one piece only in their devotion to the Crown.

Sometimes, too, one is inclined to picture the Massachusetts "government-men," as Washington called them, as being woe-begone neutrals remotely resembling the unfortunate Acadians of twenty years earlier. Somehow it is rather easy to fancy them sitting about in their shabby finery, wringing their hands, and waiting for victory or defeat to release them from their comfortless captivity. This is not quite fair, for on the very day when blood was shed at Lexington and Concord "about two hundred" merchants and traders, friends to government, sent in their names to the general [Gage] offering to take up arms as volunteers at his service, which he thankfully accepted of." They were placed under the command of General Ruggles. The name of the Corps appears to have been the Loyal American Associators.

Ruggles was, or at any rate had been, a soldier. He had fought under Abercrombie and under Amherst in the Old French War; but the fact that he was now sixty-five years of age suggests that he and his loyalist battalion may not have been much more militant than a "home guard". Certainly his gentlemen volunteers did not behave very well during the first few weeks of their service. When Gage agreed to permit all "patriot" families to move out of Boston, they remonstrated with him; for they were certain that the presence of these non-combatants constituted Boston's only insurance against assault and conflagration. Receiving no response from the General they threatened to lay down their arms and leave town themselves! All this leads one to surmise that Ruggles's corps was hardly the most gallant or the most tractable organization that took part in the American Revolution. Gage must have wondered whether it was an asset or a liability to the British army. As the siege progressed two other loyalist companies were formed,—the Loyal Irish Volunteers under Captain

James Forrest, and the Royal Fencible Americans under Colonel Gorham.

A Lady Loyalist (1775–1776)

While various non-loyalist families and individuals were doing their best to escape from Boston, at least one loyalist lady in the country was making every exertion to accomplish the reverse. This lady resided in Hopkinton and bore the title of Lady Frankland. Her romantic story is the subject of Bynner's novel. Besides her five-hundred acre farm in Hopkinton, Lady Frankland (nee Agnes Surriage of Marblehead) possessed a magnificent mansion in town, on Garden Court Street, adjacent to Governor Hutchinson's residence. Not long after the fight at Lexington and Concord her Ladyship decided that for a person of her loyalist proclivities Boston would provide a more congenial environment than the wilds of Hopkinton.

Accordingly she petitioned the Provincial Congress for a pass to the British lines, and stipulated that with her she wished to take "six trunks, one chest, three beds and bedding, six wethers, two pigs, one small keg of pickled tongues, some hay, three bags of corn." Her request was granted and to Boston she went, bag and baggage, with a guard of six Yankee soldiers to defend her from the possible assaults of country ruffians and overzealous "patriots". About the first of June she was once more in her town house, and not many days elapsed before she witnessed from her windows the battle of Bunker Hill and the burning of Charlestown. These sights seem to have determined her to move still farther away from her belligerent countrymen, and before the great hegira of March 1776 she departed for England.

Fleeing From the Wrath to Come (1776)

The discomforts of the siege of Boston have been recounted elsewhere, so the present story of the loyalists begins at the end of that dreary winter. One day in March, 1776, the beleaguered inhabitants learned on good authority that Howe intended to evacuate the town at an early date.

This was indeed a blow. As Washington himself expressed it, "Not the last trump could have struck them with greater consternation."

Soon after Bunker Hill Lord Dartmouth had written Gage: "If we are driven to the difficulty of relinquishing Boston, care must be taken that the officers and friends of the government be not left exposed to the rage and insult of rebels, who set no bounds to their barbarity." Accordingly General Howe, who had succeeded Gage, notified the townspeople and refugees that transportation would be provided for those who signified their wish to leave Boston with the British troops. And Howe, it should be said to his credit, kept his word so unreservedly that the household effects of the departing loyalists were loaded aboard the vessels at the expense of military stores which had to be left behind. Nevertheless, one may well believe that the days between March 7 and 17, 1776 were among the busiest and most trying the Tories had ever known.

Moving has always been a proverbially difficult undertaking. Moving without knowing whither, or for how long, must have been the supreme test of many a loyalist's devotion to the British government. Furthermore, there was a scarcity of shipping at the disposal of the army, and the reader with a reasonable amount of imagination can picture the confusion which Howe admitted, but hardly exaggerated, in his official statement: "A thousand difficulties arose on account of the disproportion of transports for the conveyance of the troops, the well-affected inhabitants, their most valuable property, and the quantity of military stores to be carried away."

A Loyalist Judge

Among those fleeing from the wrath of the rebels was Chief Justice Peter Oliver, whose office and social position doubtless insured his being provided with the best accommodations possible in the hurried exodus. On March 10 he "embarked on board the *Pacific*, Indiaman, Captain James Dun, which lay in King Road it being a very commodious vessell, which General Howe was so polite as to appropriate to the accommodation of my friends and me." For two

or three weeks the *Pacific* lay at anchor in Boston harbor and in Nantasket Roads; and then "in the 2nd and last division of the fleet, about 70 sail," put to sea,—with Halifax as her destination.

Judge Oliver does not appear to have been especially uncomfortable during the upheaval, nor regretful at leaving his native province. But when actually on his way to Halifax he entered in his diary (March 27) the following bitter lament. "Here I took my leave of that once happy country, where peace and plenty reigned uncontrouled, till that infernal Hydra Rebellion, with its hundred Heads, had devoured its happiness, spread desolation over its fertile fields, and ravaged the peacefull mansions of its inhabitants, to whom late, very late if ever, will return that security and repose that once surrounded them; and if in part restored, will be attended with the disagreeable recollection of the savage barbarities, and diabolical cruelties which had been perpetrated to support rebellion, and which were instigated by Leaders who were desperate in their fortunes, unbounded in their ambition and malice, and infernal in their dictates. Here I drop the filial tear into the Urn of my Country.

O fortunatos nimium, sua si bona norint—Nov-Anglicanos!

And here I bid A Dieu to that shore which I never wish to tread again till that greatest of social blessings, *a firm established British Government,* precedes or accompanies me thither."

A Loyalist Shopkeeper

A more vivid picture of the flight of the Massachusetts loyalists is given by one of their number who was blessed with the cheerful name of Jolley Allen. Mr. Allen, one infers, was not of the upper crust in pre-revolutionary Boston. Neither, by any means, was he of the under crust. According to his own statement he was a successful shopkeeper and the father of seven children. When the time came for choosing between staying or going, he chose to depart with the British army, but for one reason or another he had to make his own arrangements for transportation. His account of how he fared at the outset is both amusing and pitiful.

"The 11th of March, 1776, I hired a vessel for my effects and family of one Captain Robert Campbell (as he styled himself); he came and offered me his vessel as he said, and told me it was entirely at my service, as he had disposed of no part of it, and if I had a mind to have part or the whole of the vessel it was for me to say. I asked him who was to command the vessel. He said the vessel belonged to him, and he was the captain. I then asked him if he was used to go to sea; he answered he had, for above twenty years and upwards he had gone captain of his own vessel. Upon that, I showed him my shop and two warehouses all full of goods, and likewise, I showed him the furniture of my house, which article of furniture alone cost me above one thousand pounds sterling. I then asked this villain (for I cannot look upon him in any other light) how much of his vessel he thought I should want, being myself not acquainted therewith. He told me he thought three-quarters of the vessel would hold all my effects. I answered, if that was the case, I had rather hire the whole of the vessel, that I might have room enough, which I accordingly did, and agreed with him for fifteen guineas sterling to carry me, my family, and effects to where the fleet and army went; and paid him down half the money and took his receipt for the same,—for at that time we did not know where we was going. Accordingly, I began to take my goods down and pack them up immediately, and was obliged to put my goods in the street, as I packed them up; and myself and family was obliged to watch them two days and two nights, before I could get any carts to carry them down to the vessel, which was about a quarter of an English mile from my house to where the vessel lay, which cost me upwards of forty-two pounds sterling, all ready cash from me, to carry my goods to the said vessel.

"The 14th of March myself and family lay on board the said vessel. The 17th towed down below the castle by strange sailors. 19th, towed down to Nantasket Road by other strange sailors, and there lay till the 27th of March. At three o'clock in the afternoon sailed under the convoy of Admiral Gratton. I believe the fleet that I was in made about eighty sail of us, at that time; but when we came

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WILLIAM BRATTLE

to weigh anchor, and got it three-quarters up, a large ship of about five hundred ton came foul of us, and got foul of our bowsprit with bitter oaths that they would sink us, if we did not let go our anchor immediately. At that time, we had carried away all their side rails and a carriage that was hung over, with our bowsprit. When they got clear of us, we fell to work to get our anchor up again, and another vessel of near seven hundred ton fell foul of our bowsprit, which carried away their quarter gallery, and did them abundance more mischief, which obliged us to let our anchor down again. Accordingly, we weighed our anchor a third time, and got it up so high that the vessel moved. I then seemly was glad to think we should get out of Nantasket Road, and get up to the fleet, which hove to for us; but I was soon disappointed of my hopes: the stern of our vessel got aground."

Not even here did Jolley Allen's troubles end. Ere long the vessel was cast away on Cape Cod, his effects were seized, and his wife taken from him by death.

Loyalists on the Sea

To return to the Massachusetts loyalists as a whole, about eleven hundred of them went off to Halifax with the army. Among them was Benjamin Hallowell, comptroller of the port of Boston. His accommodations could hardly have been worse than the average, yet we are told that in his cabin "there were thirty-seven persons—men, women and children; servants, masters and mistresses; obliged to pig together on the floor, there being no berths." For six days and a half "a tumbling sea" made these wretched beings even more wretched. When one considers what a crazy fleet theirs was, assembled in a hurry and loaded in confusion, it seems little less than miraculous that few vessels besides Jolley Allen's came to grief.

Walter Barrell, one of the more prominent loyalists of Boston, made a partial list of the company that left town with the army in March 1776. As one glances through it, certain names make a deeper impression than others—Oliver, Gray, Hutchinson, Lechmere, Erving, Hallowell, Atkinson, Byles, Brattle, Dumaresq, Faneuil, Gardiner, Jef-

feries, Loring, Pelham, Saltonstall, Winslow, Wheelwright. They are all there; but this does not mean, of course, that everyone in Massachusetts bearing this or that surname was a loyalist and fled with the British army. It merely suggests that the more conservative members of various prominent families chose to leave their homes and familiar surroundings rather than to try to adjust themselves to the uncertainties of a civil war.

Halifax in 1776

The harbor of Halifax always receives praise, but few visitors have a good word to say for the climate of that vicinity. The exiles from Massachusetts found it very different from what they had been accustomed to at home. "The air", wrote Judge Oliver, "is very unpleasant and uncertain: you will feel many changes of it in a day: and if you would be safe in visiting your next neighbour, let your servant attend you with a cloak; for although you may set out in a cloudless sky, a hard shower may overtake you after a few steps. But notwithstanding of these sudden changes, it is agreed by all that the place is healthy: but if any one chuses to live there, he is welcome to do so, provided he will not compel me to live there too." A British officer described it more succinctly as "a cursed, cold, wintry-place, even yet; nothing to eat, less to drink."

Halifax itself was at that time a garrison and trading village built on the side of a hill. Lodgings were very scarce and in many cases "quite intolerable". Upon the arrival of the army and the refugees, rents went up to unimagined heights and provisions became "as dear as in London". It was all very well for Judge Oliver to regard the place with detachment, for he soon obtained passage for England on a good ship; but for those who could not so easily leave the New World the environment must have been depressing indeed. General Howe seems to have done all he could to alleviate their condition. He fed them "from the King's stores", and when it became evident that Halifax was no place for most of them he promised that the first spare transport should take to England those who wished to cross the Atlantic.

Washington on the Loyalists (1776)

After the passing of a century and a half we are disposed to regard the Massachusetts loyalists, especially those that left Boston in March 1776, with compassion. But that attitude did not prevail among their American contemporaries. Washington, for instance, whose letters usually sound more grave than heated, indulged in relatively strong language when he expressed his opinion of them not many days after the evacuation of Boston. "All those who took upon themselves the style and title of government-men in Boston, in short, all those who have acted an unfriendly part in the great contest have shipped themselves off in the same hurry, but under still greater disadvantages than the King's troops, being obliged to man their own vessels, as seamen enough could not be had for the King's transports, and submit to every hardship that can be conceived. One or two have done, what a great number ought to have done long ago, committed suicide. By all accounts there never existed a more miserable set of beings than these wretched creatures now are. Taught to believe that the power of Great Britain was superior to all opposition, and, if not, that foreign aid was at hand, they were even higher and more insulting than the regulars. When the order issued, therefore, for embarking the troops in Boston, no electric shock, no sudden explosion of thunder, in a word, not the last trump could have struck them with greater consternation. They were at their wits' end, and conscious of their black ingratitude, they chose to commit themselves in the manner I have above described, to the mercy of the waves at a tempestuous season, rather than meet their offended countrymen."

The Test Law (1776)

If Washington felt as strongly as this about the pro-British Americans whom he had just driven out of the land, one may be certain that the average Massachusetts patriot must have entertained at best a cordial dislike for those who remained behind. If the customary estimate approximates the truth, the evacuation of Boston removed only about half of the Massachusetts loyalists. The others

were scattered throughout the population; and it is safe to conjecture that almost every town contained at least a half dozen Tories or Tories-suspect.

What should be done about them? The Massachusetts Congress answered the question on May 1, 1776 by passing a test law. Under the provisions of this act every male person over sixteen years of age was required to subscribe a declaration "before God and the world" that he believed that "the war, resistance and opposition in which the United American Colonies are now engaged against the fleets and armies of Great Britain, is, on the part of the said colonies, just and necessary"; and to give his word that he would in no way assist the British forces during the said war. If anyone should refuse or neglect to subscribe to this declaration within twenty-four hours after it was tendered to him, his name was to be reported to a local justice of the peace. Thereupon the justice of the peace was to issue a warrant for the man's arrest and appearance before him, to show cause why he should not be disarmed.

Penalties

If "the delinquent" could not satisfy the justice on this point, he was to be obliged to give up all his "arms, ammunition, and warlike equipment." All this sounds reasonable indeed; but almost incredibly liberal is the suggestion that equipment confiscated in this way shall be "paid for as the General Court shall order."

Another section of the act disqualified all recusants from holding any office, civil or military, and from voting in any civil or military election. As to ministers and schoolmasters, their salaries were to cease from the moment of their refusal to subscribe; "and if any of the governors of Harvard College shall refuse to sign the declaration aforesaid", their salaries, too, were to be cut off.

The test act which we have just described sounds as if it would have sifted the Tories from the patriots in a thoroughly satisfactory manner. Probably it did so, but there was one variety of loyalist about whom our ancestors felt more strongly than they did about the rest. This variety might be termed "the siege-of-Boston loyalist", though it

included others besides those who spent the winter of 1775-76 on the peninsula. As a matter of fact it included all who had ever taken refuge within the British lines or had in any way assisted the enemy since April 19, 1775.

In regard to the political sentiments of these individuals the revolutionary government had no doubt whatever. They were dyed-in-the-wool Tories and there was no point in allowing them even to try to meet the requirements of the test act. Therefore the privilege of taking the oath was not extended to them. If they were discovered in the colony they were to be disarmed, disfranchised, and disqualified for holding any office whatever.

Conservation of Loyalist Property

For the time being, at least, the provisions of the test act would suffice to protect the patriot government from insidious attacks; but other loyalist problems already forced themselves upon the minds of the Provincial Congress or of its representative, the Committee of Safety. For instance, what disposition was to be made of the abandoned estates of fugitive Tories? Were they to be left to the mercy of curious neighbors, lawless boys, and unprincipled men? The Committee of Safety decided that whatever course might ultimately be adopted, the present called for conservation of this property by the revolutionary authorities. As early as May 3, 1775, scarcely two weeks after the fights at Lexington and Concord, the Committee took steps to secure the house furnishings of absent loyalists and deposit them in places of safety.

Thus far the action of the Committee appears to have been wholly altruistic; but toward the end of May it issued a decree that contained a different suggestion. This edict made it illegal for any person in the province to buy or lease any real estate of the refugees. It was a peculiar measure and its purpose cannot be easily fathomed; but in it one can see the suggestion of future confiscation of this property by the colony. Whatever might become of them in the end, the abandoned estates were, for the present not to be bought or sold. Before long they threatened to become a greater bother than they were worth. The

lawns and fields of the fugitives were growing up to tall grass. What was to be done with the produce? The Committee of Safety put the question up to the Provincial Congress, and on June 21, 1775 the Congress announced its policy: every town was to be the guardian of the abandoned estates within its limits. The selectmen and the local committee of correspondence were to take the property into their care, "make the best improvement thereof in their power", "keep an account of all the rents and profits arising from the same", and be accountable for them to the Provincial Congress.

In accordance with this resolve the local authorities cut the grass, made and stored hay, sold off the cattle, and when possible leased the estates to desirable tenants. Under this *modus vivendi* the revolutionary government coped with the problem until the evacuation of Boston in March 1776 complicated the situation somewhat further by involving the disposal of dozens of estates in the metropolis. The "absconders", as the House of Representatives termed them, had fled so precipitately that they had abandoned not only their real estate, but also in some cases, "their personal and other removeable effects to a very considerable value." As there were plenty of persons ready to appropriate these "under pretence of gift, sale, or attachment", the Congress lost no time in appointing a committee to administer the estates.

By this time the procedure was fairly systematic: first, an inventory of the property was taken; then the estate was leased or otherwise administered for the good of the revolutionary cause. It should be added that in the case of a Tory who had left his family behind, the committee was to provide from the estate an allowance for the support of his wife and children,—"they being unable otherways to support themselves."

Confiscation of Property (1776 – 1779)

As the war dragged on a demand developed for the liquidation of the property which had come into the possession of the revolutionary government. In May 1776 the House passed a resolution authorizing the public sale of

In the House of Representatives, April 19, 1776.

WHERE AS Sundry Persons of this Colony have joined our unnatural Enemies, who have in a hostile Manner been endeavouring to enslave the United Colonies; and others have absconded and removed out of this Colony with Intent to aid the despotic Measures of our Enemies, and Divers of both Sorts have left Estates both Real and Personal, much of which have been already wasted, and more is liable to Waste: Therefore,

RESOLVED, That the Committee of Correspondence, Safety and Inspection, in each and every Town and Plantation in this Colony, where there is any Real or Personal Estate in their respective Towns, belonging to any Person or Persons, that in their Opinion have fled to *Boston* in the late Time of Distress to secure themselves, or that have joined the unnatural Enemies of the *United Colonies*, or that have withdrawn themselves out of this Colony to aid the deluded Measures of our Enemies that they immediately take Possession of all such Estates; and according to their best Direction and Judgment for the Use of this Colony, order and lease out such Real Estates to such Person or Persons, and for such Sum and Sums of Money as they shall think proper for the Space of one Year; and that they return to this Court a true Inventory of such Personal Estate, as they shall receive into their Possession, belonging to each such Person: And also an Account to whom they shall let the said Estate, and the Amount of the Rent they shall agree to be paid for the same; any former Order or Resolve of the Congress of this Colony, or of the General Court to the contrary notwithstanding. *Provided always*, That nothing in the foregoing Resolve shall be construed to extend to such Estates as aforesaid, whether Real or Personal, as are now held and possessed by Persons friendly to this Colony, by Virtue of any written Conveyance bearing Date and actually executed on or before the twenty-second Day of *May* 1775.

And whereas sundry Persons in this Colony, did not actually join our unnatural Enemies, nor remove out of this Colony but have discovered a strong Attachment to them and been aiding and assisting them in their wicked Designs all in their Power, and have approved of their Measures:

It is thereupon further *Resolved*, That the Committees aforesaid be directed to make Return to this Court at or before the second Tuesday of their next Session of the Names of all Persons who have in any Manner acted against or opposed the Rights and Liberties of this Country or who have signed or voted any Address to General *Gage* approving his Errand to this Colony, or his Administration since the Dissolution of the General Court at *Salem*, in 1774 or to Governor *Hutchinson* after the Arrival of General *Gage* or to General *Howe*, or who have signed an Improvement Agreement for joining or assisting the Enemies of this Continent; and of such as have fled from this Colony to or with the *British* Army, Fleet, or elsewhere together with their respective Crimes and Evidences or Depositions, which may be procured to prove the same, unless such Person or Persons shall have given ample Satisfaction to the Public of their sincere Contrition, thorough Reformation and firm Attachment to the Rights and Interest of this and the other United Colonies of *America*. And it is recommended to the Justices of the Peace in the several Counties, to aid and assist such Committee in taking such Depositions as may be procured in the Premisses.

Sent up for Concurrence.

J. WARREN, Speaker.

In Council *April* 23, 1776. Read and concurr'd.

PEREZ MORTON, Dep. Sec'ry.

Consented to,

JAMES OTIS.
WILLIAM SEVER.
BENJAMIN GREENLEAF.
WALTER SPOONER.
CALEB CUSHING.
JOHN WINTHROP.
BENJAMIN CHADBOURN.
THOMAS CUSHING.
JOHN WHETCOMB.
JEDEDIAH FOSTER.
JAMES PRESCOTT.
ELDAD TAYLOR.
SAMUEL HOLTEN.
BENJAMIN WHITE.
MOSES GILL.

A true Copy. Attest.

PEREZ MORTON, Dep. Sec'ry.

From an original

Courtesy of Massachusetts Historical Society

RESOLVES REGARDING LOYALISTS

"perishable articles and such only." The Council seems to have considered this a bit radical. Just where would the line be drawn between perishable property and imperishable property"? The measure was lost in the Council. In the spring of 1777 both branches agreed that the time had arrived when "all chaises and other carriages" belonging to the estates of Boston loyalists should be sold. If they could not be sold at their appraisal price, they should be sold at public vendue. This was the beginning of the end. A few weeks later all "the household furniture and other personal estate" of departed Boston loyalists went the way of their "chaises and other carriages".

The autumn of 1777 brought the surrender of Burgoyne. The spring of 1778 brought news of the treaty of alliance between France and the United States. By May 1, 1779 it was reasonably certain that the Americans would ultimately achieve their independence of Great Britain. It was absolutely certain that the infant state of Massachusetts needed every penny it could raise for the continuance of the war. Under these circumstances the State took her final step in regard to "the estates of certain persons commonly called absentees."

The preamble to the act of confiscation is interesting and it suggests that those who passed it felt the need of justifying the deed. To the lay mind their argument appears more ingenious than convincing. Briefly it was this. Every government has a right to command the personal services of all its members whenever the exigencies of the state require it. If a member evades this duty by withdrawing himself from the jurisdiction of the government at a critical moment, he justly incurs the forfeiture of all his property, rights, and liberties. In the years 1774-75 the government of Massachusetts Bay was set upon by the king of Great Britain and Parliament and it needed the assistance of every citizen. At that time certain individuals chose to withdraw from Massachusetts and to place themselves within the British lines. By doing so they incurred the penalty of losing all their property, rights and liberties in Massachusetts.

The act itself, passed May 1, 1779, confiscated the estates of such persons. Henceforth their property in Massachusetts was to "escheat, enure, and accure to the sole use and benefit of the government and people of this state." Probably it was the only practical thing to do with the loyalist estates; but if one stops to recall the violence that led many a Tory to "withdraw himself from the jurisdiction of the government, and thereby deprive it of the benefit of his personal services," he will probably wish that his ancestors had omitted the preamble to the confiscation act. In 1779 it may have sounded like good political theory, but to the cool ear of the twentieth century it sounds like political casuistry.

Exiled Forever (1778)

In tracing the fate of the estates, we have for the moment lost sight of the persons of the loyalists. What actually happened to those who declined to take "the Test" of 1776? And what became of those extreme Tories who were not even allowed to take the test? Apparently the former were disarmed and disfranchised; and if they gave aid and comfort to the enemy they suffered the penalty for treason. We assume, however, that the great majority of them merely sat tight and awaited the outcome of the war. That was the wisest course to pursue.

What of the Tories of another stripe,—Tories who, when the time came for choosing sides, had aligned deliberately and definitely with the British government and left the country? These men could never become whole-hearted Americans, and the revolutionists determined that they should never have the opportunity to attempt it. October 16, 1778 the General Court passed an act naming the most notorious of them and providing for their arrest and transportation if they should ever set foot on Massachusetts soil For a second offence death was to be the penalty.

The black list is long, but as it affected loyalists from all parts of Massachusetts and throws light upon their various walks in life, it is reproduced here in full.

The Black List (1778)

"Thomas Hutchinson, Esq., late governor of the state, Francis Bernard, Esq., formerly governor of this state, Thomas Oliver, Esq., late lieutenant-governor of this state, Timothy Ruggles of Hardwick, in the county of Worcester, Esq., William Apthorp, merchant, Gibbs Atkins, cabinet-maker, John Atkinson, John Amory, James Anderson, Thomas Apthorp, David Black, William Burton, William Bowes, George Brindley, Robert Blair, Thomas Brindley, James Barrick, merchants, Thomas Brattle, Esq., Sampson Salter Blowers, Esq., James Bruce, Ebenezer Bridgham, Alexander Brymer, Edward Berry, merchants, William Burch, late commissioner of the customs, Esq., Mather Byles, jun., clerk, William Codner, book-keeper, Edward Cox, merchant, Andrew Cazneau, Esq., barrister-at-law, Henry Canner, clerk, Thomas Courtney, taylor, Richard Clark, Esq., Isaac Clark, physician, Benjamin Church, physician, John Coffin, distiller, John Clark, physician, William Coffin, Esq., Nathaniel Coffin, Esq., Jonathan Clark, merchant, Archibald Cunningham, shopkeeper, Gilbert Deblois, merchant, Lewis Deblois, merchant, Philip Dumaresque, merchant, Benjamin Davis, merchant, John Erving, jun., Esq., George Erving, Esq., Edward Foster and Edward Foster, jun., blacksmiths, Benjamin Faneuil, jun., merchant, Thomas Fluker, Esq., late sec'y for Massachusetts Bay, Samuel Fitch, Esq., Wilfret Fisher, carter, James Forrest, merchant, Lewis Gray, merchant, Francis Green, merchant, Joseph Green, Esq., Silvester Gardner, Esq., Harrison Gray, jun., clerk to the treasurer, Joseph Goldthwait, Esq., Martin Gay, founder, John Gore, Esq., Benjamin Hallowell, Esq., Robert Hallowell, Esq., Thomas Hutchinson, jun., Esq., Benjamin Gridley, Esq., Frederick William Geyer, merchant, John Greenlaw, shopkeeper, David Green, merchant, Elisha Hutchinson, Esq., James Hall, mariner, Foster Hutchinson, Esq., Benjamin Mulbury Holmes, distiller, Samuel Hodges, book-keeper, Henry Hulton, Esq., Hawes Hatch, wharfinger, John Joy, housewright, Peter Johonnet, distiller, William Jackson, merchant, John Jeffries, physician, Henry Laughton, merchant, James Henderson, trader, John Hinston,

yeoman, Christopher Hatch, mariner, Robert Jarvis, mariner, Richard Lechmere, Esq., Edward Lyde, merchant, Henry Lloyd, Esq., George Leonard, miller, Henry L[i]ddle, book-keeper, Archibald McNeal, baker, Christopher Mino[t], tide-waiter, James Murray, Esq., William McAlpin, book-binder, Thomas Mitchell, mariner, William Martin, Esq., John Knutton, tallow-chandler, Thomas Knight, shopkeeper, Samuel Prince, merchant, Adino Paddock, Esq., Charles Paxton, Esq., Sir William Pepperel, Baronet, John Powell, Esq., William Lee Perkins, physician, Nathaniel Perkins, Esq., Samuel Quincy, Esq., Owen Richards, tide-waiter, Samuel Rogers, merchant, Jonathan Simpson, Esq., George Spooner, merchant, Edward Stowe, mariner, Richard Smith, merchant, Jonathan Snelling, Esq., Daniel Silsby, trader, Samuel Sewall, Esq., Abraham Savage, tax-gatherer, Joseph Scott, Esq., Francis Skinner, clerk to the late council, William Simpson, merchant, Richard Sherwin, sadler, Henry Smith, merchant, John Semple, merchant, Robert Semple, merchant, Thomas Selkrig, merchant, James Selkrig, merchant, Robert Service, trader, Simon Tufts, trader, Arodi Thayer, late marshal to the admiralty court, Nathaniel Taylor, deputy naval officer, John Troutbeck, clerk, Gregory Townsend, Esq., William Taylor, merchant, William Vassal, Esq., Joseph Taylor, merchant, Joshua Upham, Esq., William Walter, clerk, Samuel Waterhouse, merchant, Isaac Winslow, merchant, John Winslow, jun., merchant, David Willis, trader, Obadiah Whiston, blacksmith, Archibald Wilson, trader, John White, mariner, William Warden, peruke-maker, Nathaniel Mills, John Hicks, John Howe and John Fleming, printers,—all of Boston in the county of Suffolk;

Robert Auchmuty, Esq., Joshua Loring, Esq., both of Roxbury in the same county; Samuel Goldsbury, yeoman, of Wrentham, in the county of Suffolk; Joshua Loring, jun., merchant, Nathaniel Hatch, Esq., both of Dorchester, in the same county;

Wm. Brown, Esq., Benjamin Pickman, Esq., Samuel Porter, Esq., John Sargeant, trader,—all of Salem in the county of Essex; Richard Saltonstall, Esq., of Haverhill in the same county; Thomas Roby, trader, Benjamin Mar-

ston, merchant, both of Marblehead in said county of Essex; Moses Badger, clerk, of Haverhill aforesaid;

Jonathan Sewall, Esq., John Vassal, Esq., David Phips, Esq., John Nutting, carpenter,—all of Cambridge, in the county of Middlesex; Henry Barnes of Marlboro, in the said county of Middlesex, merchant, Jeremiah Dummer Rogers of Littleton, in the same county, Esq., Daniel Bliss of Concord, in the said county of Middlesex, Esq., Charles Russell of Lincoln, in the same county, physician; Joseph Adams of Townsend in said county of Middlesex, physician; Thomas Danforth of Charlestown, in said county, Esq; Joshua Smith, trader, of Townsend in said county;

Joseph Ashley, jun., gentleman, of Sunderland; Nathaniel Dickenson, gentleman, of Deerfield, Samuel Bliss, shopkeeper, of Greenfield, Roger Dickenson, yeoman, Josiah Pomroy, physician, and Thomas Cutler, gentleman, of Hatfield, Jonathan Bliss, Esq., of Springfield, William Galway, yeoman of Conway, Elijah Williams, attorney-at-law, of Deerfield, James Oliver, gentleman, of Conway,—all in the county of Hampshire;

Pelham Winslow, Esq., Cornelius White, mariner, Edward Winslow, jun., Esq.,—all of Plymouth in the county of Plymouth; Peter Oliver, Esq., Peter Oliver, jun., physician, both of Middleboro in the same county; Josiah Edson, Esq., of Bridgwater, in the said county of Plymouth; Lieut. Daniel Dunbar of Halifax, in the same county; Charles Curtis of Scituate, in said county of Plymouth, gentleman, Nathaniel Ray Thomas, Esq., Israel Tilden, Caleb Carver, Seth Bryant, Benjamin Walker, Gideon Walker, Zera Walker, Adam Hall, *tertius,* Isaac Joice, Joseph Phillips, Daniel White, jun., Cornelius White, *tertius,* Melgar Carver, Luke Hall, Thomas Decrow, John Baker, jun.,—all of Marshfield in the said county of Plymouth;

Gideon White, jun., Daniel Leonard, Esq., Seth Williams, jun., gentleman, Solomon Smith, boatman,—all of Taunton in the county of Bristol; Thomas Gilbert, Esq., Perez Gilbert, Ebenezer Hathaway, jun., Lot Strange, the third, Zebedec Terree, Bradford Gilbert,—all of Freetown, in the same county; Joshua Broomer, Shadrach Hathaway, Calvin Hathaway, Luther Hathaway, Henry Tisdel, William Bur-

den, Levi Chace, Shadrach Chase, Richard Holland, Ebenezer Phillips, Samuel Gilbert, gentleman, Thomas Gilbert, jun., yeoman, both of Berkley in the said county of Bristol;

Ammi Chase, Caleb Wheaton, Joshua Wilbore, Lemuel Bourn, gentleman, Thomas Perry, yeoman, David Atkins, labourer; Silas Perry, labourer, Seth Perry, mariner, Elisha Bourn, gentleman, Thomas Bumpus, yeoman, Ephraim Ellis, jun., yeoman, Edward Bourn, gentleman, Nicholas Cobb, labourer, William Bourn, cordwainer,—all of Sandwich, in the county of Barnstable; and Seth Bangs of Harwich, in the county of Barnstable, mariner;

John Chandler, Esq., James Putnam, Esq., Rufus Chandler, gentleman, William Paine, physician, Adam Walker, blacksmith, William Chandler, gentleman,—all of Worcester, in the county of Worcester; John Walker, gentleman, David Bush, yeoman, both of Shrewsbury in the same county; Abijah Willard, Esq., Abel Willard, Esq., Joseph House, yeoman,—all of Lancaster, in the said county of Worcester; Ebenezer Cutler, trader, James Eager, yeoman, both of Northbury, in the same county; Daniel Oliver, Esq., Richard Ruggles, yeoman, Gardner Chandler, trader, Joseph Ruggles, gentleman, Nathaniel Ruggles, yeoman,—all of Hardwick, in the said county of Worcester; John Ruggles, yeoman, of said Hardwick, John Eager, yeoman, Ebenezer Whipple, Israel Conkay, John Murray, Esq., of Rutland, in said county of Worcester, Daniel Murray, gentleman, Samuel Murray, gentleman, Michael Martin, trader, of Brookfield in the said county of Worcester; Thomas Beaman, gentleman, of Petersham, in the same county; Nathaniel Chandler, gentleman, John Bowen, gentleman, of Princeton in the said county of Worcester, James Crage, gentleman, of Oakham, in the same county; Thomas Mullens, blacksmith, of Leominster, in the said county of Worcester;

Francis Waldo, Esq., Arthur Savage, Esq., Jeremiah Pote, mariner, Thomas Ross, mariner, James Wildridge, mariner, George Lyde, custom-house officer, Robert Pagan, merchant, Thomas Wyer, mariner, Thomas Coulson, merchant, John Wiswall, clerk, Joshua Eldridge, mariner, Thomas Oxnard, merchant, Edward Oxnard, merchant, Wil-

liam Tyng, Esq., John Wright, merchant, Samuel Longfellow, mariner, all of Falmouth, in the county of Cumberland;

Charles Callahan of Pownalboro, in the county of Lincoln, mariner;

Jonas Jones of East Hoosuck, in the county of Berkshire; David Ingersoll of Great Barrington, in the same county, Esq., Jonathan Prindall, Benjamin Noble, Francis Noble, Elisha Jones of Pittsfield, in the said county of Berkshire, yeoman; John Graves, yeoman, Daniel Brewer, yeoman, both of Pittsfield aforesaid; Richard Square of Lanesborough, in the said county of Berkshire; Ephraim Jones of East Hoosuck in the same county; Lewis Hubbel, and many other persons."

Loyalist Life in England (1776–1783)

So far as the government of Massachusetts was concerned the loyalists were gone, were not to come back, and that was all there was to it. But for the exiles there was much more to it than that. They must undergo at least one sea voyage; and there were years of homesickness, financial distress, and dickering with English government officials in regard to pensions and compensations. The wealthier Massachusetts loyalists appear to have gone to England as soon as possible after the flight to Nova Scotia. The less well-to-do stayed in the New World, most of the time within the British lines on Manhattan Island. Which of the groups had the better time of it would be difficult to state; but we shall glance at each group and try to draw our own conclusions.

Samuel Curwen has left us the most convincing account of loyalist life in England during the Revolution. Curwen was a native of Salem, Massachusetts, a graduate of Harvard College, and a Judge of Admiralty in 1775. Four days after the battle of Lexington, he sailed from Beverly for Philadelphia in the hope of finding "personal security and those rights which by the laws of God I ought to have enjoyed undisturbed" at home. But Philadelphia was hardly any better than Salem, and he soon made up his

mind to proceed to London, where his loyalism might be appreciated.

At first Judge Curwen found London very agreeable as a place of residence. At the New England Coffee-house, in Threadneedle Street he met a friend and fellow-townsman, Benjamin Pickman. At the Old Jewry meeting-house he was greeted and welcomed by Governor Hutchinson, who was accompanied by his son and daughter. In the next pew sat two other American acquaintances. The more he went about, the more Massachusetts men he met. He had not been in England a week when he wrote jubilantly to one of his Salem friends: "There is an army of New Englanders here." Six or seven months later a score of them formed the New England Club which was to dine weekly at the Adelphi.

All this was very pleasant; but early in 1776 Curwen's journal and letters suggest an occasional longing for his native land. In an unusually cold spell he wrote: "The fires here [are] not to be compared to our large American ones of oak and walnut, nor near so comfortable; would that I was away!" There were other drawbacks, too: "London, my favorite place of abode, is, as the peasant said, *'a sad lickpenny'*, and truly one cannot breathe the vital air without great expense." This aspect of his environment grew upon him. In June 1776 six vessels laden with Massachusetts refugees arrived from Halifax, "amongst whom are R. Lechmere, I. Vassal, Col. Oliver, Treasurer Gray, etc."

The Loyalist Settlement

"Those who bring property here may do well enough," wrote Curwen, not without feeling, "but for those who expect reimbursement for losses, or a supply for present support, will find to their cost the hand of charity very cold; the latter may be kept from starving, and beyond that their hopes are vain." His own funds were getting low. "I find my finances so visibly lessening, that I wish I could remove from this expensive country, (being heartily tired of it,) and old as I am, would gladly enter into business connection anywhere consistently with decency and integrity,

which I would fain preserve. The use of the property I left behind me I fear I shall never be the better for; little did I expect from affluence to be reduced to such rigid economy as prudence now exacts. To beg is a meanness I wish never to be reduced to, and to starve is stupid; one comfort, as I am fast declining into the vale of life, my miseries cannot probably be of long continuance."

The following extract tells its own story: "Asked a man how far it was to Chelsea, and was answered in the true New-England style, 'I don't know—about half a mile.' This I note as the first instance, to my remembrance, of the like I have met with on this side the water.

"Had a free conversation with a couple of conversible gentlemen, not commonly to be met with; the better sort of gentry being too proud or reserved to mix with those they don't know, or to indulge a promiscuous chat."

Curwen was not the only New Englander who, for one reason or another, grew weary of London. A number of them moved to Bristol and formed an American colony there. "I think", wrote Governor Hutchinson in his diary, "take in all circumstances, and I should prefer living there to any place in England. The manner and customs of the people are very like those of the people of New England, and you might pick out a set of Boston Selectmen from any of their churches."

Return of a Loyalist (1785)

Judge Curwen's introduction to the town was not wholly auspicious. He and a number of his compatriots "were attacked by the virulent tongue of a vixen, who saluted us by the names of 'damned American rebels', etc." But one had to live somewhere, and Bristol was less expensive than the metropolis. Later he tried Sidmouth and Exeter, and finally London again. Old friends and acquaintances began to die off: first Governor Bernard, then Governor Hutchinson. Finally the end of the war came, and with it more or less assurance from prominent men in Salem that if Curwen should return, the chances were he would be unmolested.

After nine and a half years in exile he again trod the

soil of Massachusetts. There he tried to put together the fragments of his broken property, but subsisted chiefly on the allowance which the British government granted him. Though it was good to be at home again, Salem was not what it used to be. "Whilst some from the narrowest and basest condition have arisen to high honors and great wealth, others have fallen into indigent and distressed circumstances." And it is to be hoped that there was more bitterness than truth in one of his less gracious comments: "The triumphant here look down with contempt on the vanquished; their little minds are not equal to the astonishing success of their feeble arms."

The New York Loyalist Colony (1776–1783)

The loyalists who preferred to remain in America, but not to be stranded in gloomy Halifax, appear to have fared pretty well after Washington was driven out of New York in the summer of 1776. Established on Manhattan Island, the Massachusetts refugees made their social headquarters at Hicks' Tavern. Some of their time seems to have been spent in writing assertions of devotion to king, some in complaining of the discomforts of military rule. Time and again they petitioned for civil government, but it never came. What these refugees lived on is a mystery. The really poor were saved from destitution by the proceeds of occasional charity collections and lotteries. Clinton finally received permission to give them government aid either in cash or in allotments of rebel lands. Even so, one wonders how the humbler sort of Yankee subsisted in New York as the war dragged on and on. Morally one and all fed on the propaganda put forth in *Rivington's Gazette,* a loyalist sheet which kept them constantly supplied with false news of rebel disasters and with misinformation about the strength of the British forces!

After October, 1781, there could be little doubt even in loyalist minds that the war was about over. Early in 1782 groups of Tories began to disappear from New York and the exodus continued in increasing volume. Within a year almost 30,000 (for Manhattan Island was a place of refuge

for loyalists from all the colonies) packed up their belongings and sailed off to Nova Scotia and Canada.

British Indemnity to Loyalists

For temporary support they necessarily turned to the British government, and they were not disappointed. Clothing and food were issued to the needy. The head of every family was given 500 acres of land; every single man, 300 acres. Building materials and tools were furnished as well. It was, of course, a matter of beginning life over again on the fringe of a wilderness and in an inhospitable climate. Nevertheless, the effort on the part of the British government to provide for those whose loyalty had cost them their country is one of the most creditable pages in English history.

Loyalists who had enjoyed offices under the crown were granted pensions or given new offices elsewhere in the British empire. And those who had lost an appreciable amount of property were invited to submit claims for compensation. These claims were examined by a commission and awards were made by judges. As a result of these findings and awards the loyalists received cash indemnities amounting to nearly 4,000,000 pounds. But of the twenty-five hundred provincial claimants, less than ten per cent were former residents of Massachusetts. If one adds to the total of these awards the amount expended by Britain in establishing the American loyalists in Nova Scotia and Canada, the result is a grand total of at least six million pounds.

Often one's heart aches for the loyalists of Massachusetts, especially for those who went to England and died there before the end of the war. Thomas Hutchinson, the most prominent of them all, once wrote to a friend, "I assure you I had rather die in a little country farm house in New England than in the best Nobleman's seat in Old England; and have therefore given no ear to any proposal of settling here." Doubtless there were many others who had similar homesick feelings.

It is easy to become sentimental about these unfortunates and to criticize the severity with which the patriot Ameri-

cans treated them before and after the war. After all, was it not the part of wisdom to banish from the land these non-sympathizers with the new government? Would they not have remained "unreconstructed" in a fragilely reconstructed world? And would not their attitude have made all the more difficult for the infant Republic the trying years between 1783 and 1789? No one can give positive answers to these questions. In his own mind the writer is fairly clear that for the momentous experiment known as the United States it was probably a wise, though drastic, policy that drove out of our land those whose faith was in the old régime and not in the great possibilities of a new nation.

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CHAPTER X

SOCIAL LIFE IN THE REVOLUTIONARY PERIOD

By Arthur R. Curnick

Social Revolution (1775)

The spirit of revolution during the last half of the eighteenth century in American life was hardly more political than social. The world has recognized that the stimulus behind the colonial struggle for independence was a resentful sense of exasperating restraints and unjust taxation by an unwise English government; it is not so generally realized that a social revolution was simultaneously in progress and that its factors were of major importance in determining the struggle for liberty.

Viewed from the vantage point of the twentieth century, the colonists of Massachusetts from 1750 to 1790 were not only achieving relief from political control exercised from overseas, but equally from the results of a hundred and fifty years of social bondage in their own communities, from enthrallment of custom, subjugation of intellect and ambition to the fetters of ecclesiasticism.

Yet this negative reaction, as one might expect under the axiom that concentration is synonymous with power, developed in the people of Massachusetts in that period elements of courage and consistency rarely equalled within a state in the history of the world. The Massachusetts folk of 1775, in rallying to the flag of liberty, were following in the footsteps of their ancestors who had literally created a civilization from a wilderness. Sacrifice had been so stressed as to become the expected.

From earliest childhood the seriousness of this business of living was emphasized. Records exist of the entrance of boys into the Boston Latin School at ages as low as six and one-half years. Listen to a little girl of eight-

eenth century Massachusetts reciting verses she had committed to memory:—

"Youth, I am come to fetch thy breath
And carry thee to shades of death.

No pity on thee can I show,
Thou hast thy God offended so.
Thy soul and body I'll divide,
Thy body in the grave I'll hide,

And thy dear soul in hell must lie
With devils to eternity."

Men of 1775

While little tongues had been mastering such sentiments for generations, hearts, little and big, were rebelling. Massachusetts people were feeling the urge of an independence from every kind and form of autocracy, whether political, moral or religious. The roofs of New England churches were resounding with thunders of the clergy against acting of plays, dancing and "modern tendencies of unrighteousness in actions of the people." Nevertheless, the straight puritan was becoming less strait; a new freedom was taking foothold in the social life of 1775.

These builders of a nation were workers. Reports from visitors to Boston and other seaport cities of Massachusetts revealed that the men of that day were tall and erect, rather slim and somewhat pale; but strong and muscular, deadly with the gun. Brutally direct in their treatment of each other, yet warm-hearted were they to all in distress. They loved vehemently; the widower's conscience was clear to love another a few weeks or months after separation from a wife by death.

Many references are found to premature old age among the men of this period. A short life was encouraged by severe exposures, lack of mental exhileration by means of literature or plays; and by the procedure common throughout most of the colonies of treating boys as adults at about the age when we are thinking of putting them into high school. An example is the father who wrote his son a stern letter when the boy had reached the age of

nine, assuring him that hereafter in all their dealings together the lad was to be treated as a man. This overstimulation of the mind and early assumption of the burdens of adulthood exerted a decided influence on the span of life of Massachusetts manhood. According to the scanty vital statistics available, few men lived beyond the age of fifty years and scarcely any over seventy years.

Houses and Furniture

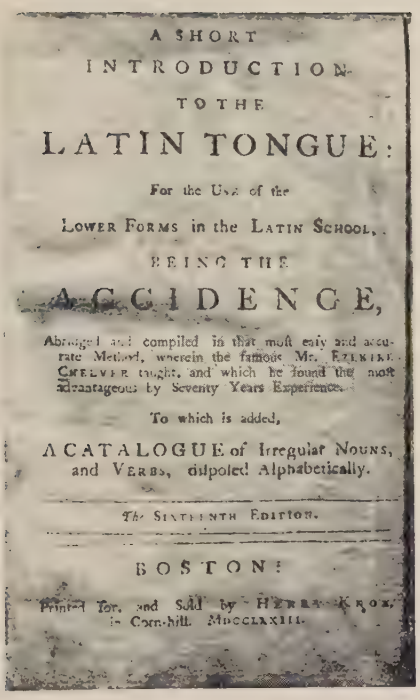
Houses of this period, in the city, were most frequently of brick, decorated with wood; in the towns, hewn and sawed lumber was used. Walls were divided into compartments by panels, many with paintings. Much of the fascination of the architecture of these old homes was due to the heavy cornices, designed and built with true art. Wall papers were delightfully artistic and scenic, made with painstaking care. Floors were squared with red cedar or pine, and in the center of many were inlaid designs of endless variety. Compartments were provided for silver plate, valuables and what few books were obtainable.

Furniture was mostly simple, but of carefully chosen wood. On some of the floors, carpets or printed cloths were laid; on others fine sand sprinkled was the only covering. Chairs were straight and highbacked and beds were of the four-poster variety, highly decorated in many cases, with hangings of exquisite homemade draperies. In the homes of many of the richer men, such as that of Hancock, the furnishings would be considered luxurious today. In some matters of furnishing, particularly materials and handwork, the twentieth century must bow to the eighteenth.

Dress

In their ordinary routine of life the dress of men of that period appears to have been simple, but neat; whatever extra pains were taken to gain favor in the eyes of the dames was laid out in decoration rather than in material. Some of the most amusing incidents in colonial history surround the arguments between affianced couples as to whether the groom-to-be might wear the periwig, go bald or have his remaining hair cut to a certain fashion.

Special days came along, such as the meetings of the



A SHORT
INTRODUCTION
TO THE
LATIN TONGUE:
For the Use of the
LOWER FORMS in the LATIN SCHOOL,
BEING THE
ACCIDENCE,
Abridged and compiled in that moſt eaſy and accurate Method, wherein the famous Mr. EZEKIEL CHEEVER taught, and which he found the moſt advantageous by Seventy Years Experience.
To which is added,
A CATALOGUE of Irregular NOUNS, and VERBS, diſpoſed Alphabetically.
The SIXTEENTH EDITION.
BOSTON:
Printed for, and Sold by HENRY KNOX, in Corn-hill. MDCCLXXIII.

From original Courtesy Harvard College Library

PAGE FROM SCHOOL BOOK

From the Massachusetts Magazine Courtesy of Harvard College Library

HANCOCK HOUSE, BOSTON

provincial government, and then "pomp was general among the men of towns." We may picture John Hancock as he appeared in state: four servants on foot alongside in superb livery; four horses drawing his palatial carriage; at the sides and rear fifty horsemen with drawn sabres, or sometimes half the escort ahead and half behind.

George Whitefield, after visiting in Boston in 1742, wrote home to England, mincing no words in his comments on the dress of the times in Massachusetts as associated with the coolness of the people towards things religious: "Jewels, patches and gay apparel are commonly worn by the female sex, and even the common people I observe dressed up in the pride of life. And the little things that were brought to baptism were wrapped up in such fine things, and so much pains taken to dress them, that one would think they were brought thither to be initiated into rather than renounce, the vanities of this wicked world."

The ladies of these Revolutionary days were beyond a question attractively attired, even to the eyes of a modern connoisseur. Extreme simplicity was shown in apparel at their own firesides, but on the rare occasions of festivity, the dresses were ornate and conceded to have been beautiful.

Let us picture three ladies of means as they enter a social gathering. One wears a dress of brown satin, sleeves ruffled at the elbows, a lace shawl, and on her neck a pearl necklace; the skirt of the pannier type with pocket-hoops on each side at the hips, and on her head a small, lace cap. Upon the second, a somewhat older dame, we find a brown, brocaded damask, with a dark green coat; the dress cut square in the neck, a muslin handkerchief over the shoulders, embroidered muslin sleeves, a cap of the same material, and a pearl necklace. The third, a striking colonial lady, perhaps radiantly attired for her third husband, in a white satin dress with train of purple velvet, edged with gold.

Opportunities for special show of dress were so infrequent that many times we find the ladies bitterly reproached for unbecoming pomp at church services; but a later century will certainly not begrudge these conscientious, sedate women the taste of this bit of worldliness, even though on a Puritan Sabbath. We may well wonder, however,

at the hours of preparation necessary for dressing in those days, with countless draperies to arrange, not to speak of hair that must be raised on cushions to a great height, often powdered. It was a case of dignity rather than comfort.

Marriage

As maturity was reached, wedlock was the expected thing, even if it was necessary to use the acknowledged powers of advertising to accomplish that end. In the Boston Evening Post, of February 23, 1759, we find the following remarkable notice:

"Any young lady between the age of eighteen and twenty-three, of a middling stature, brown hair, regular features and a lively, Brisk Eye; of Good Morals and not Tinctured with anything that may Sully so Distinguished a Form, possessed of 3 or 400 pounds entirely her own Disposal; and where there will be no necessity of going Through the tiresome Talk of addressing parents or Guardians for their consent: Such a one by Leaving a Line directed for A. W. at the British Coffee House on King Street appointing where an Interview may be had will meet with a person who flatters himself he shall not be thought Disagreeable by any Lady answering the above description. N.B. Profound Secrecy will be observed. No Trifling Answers will be regarded."

Married women and widows made up most of the adult female population. An unmarried woman at twenty-five years of age was an "antient maid." Some courtships, especially of widows, lasted but a few days. Business details in regard to marriage were most carefully considered, especially in cases where the bride was much younger than the groom, which was most common. Arrangements as to returns of dowers in the event of death and stipulations for the transfers of estates were often put into writing before the ceremony could be performed. "Smock" marriages were not uncommon, based on a peculiar legend that if a bride were married on the King's highway without other clothing, all debts were cleared. Such marriages were generally performed in the evening, and later in closets to avoid embarrassment.

Children

Children of Massachusetts during the Revolutionary period passed through a hard struggle for existence, especially during their earlier years. The death rate of infants was tragically high, owing to general ignorance regarding medical and sanitary science. Much of the medical treatment was pure quackery. To make matters dangerous from the very beginning, baptism of the infant was required within three days of its birth, regardless of weather conditions. Many the babe opened his eyes in those days to catch just a glimpse of the New England sun, then a chill, a prayer and a return to his Maker. Rickets was common throughout the colonies,—treated generally by an extract from snails. Some of the children wore necklaces of amber or wolf's fangs to ward off disease; roses, licorice and vipers were resorted to as a basis for some popular medicines. Naturally, children who survived this Spartan test were strong and ready for the rugged life of the day.

Partly because of the high mortality, most marriages were prolific. Many families of record had as many as twenty children born. Sir William Phips counted twenty-six by the same mother in his home. Many of them survived, as was shown by this little verse:

"And one thing more remarkable
Which here I shall record;
She'd fourteen children with her
At the table of the Lord."

Strange names were given the little ones, many Biblical. Such appellations as Return, Believe, Tremble, Reform, Hoped For, More Mercy were common. It seems almost a wonder that the child who survived the baptism in chilled water could have outlived the name.

Family Life

In food the children were more fortunate. They had but little candy, generally maple sugar, which was pure, or rock candy from China. Their meals were coarse but hearty: samp, hominy, suppawn, pone, succotash, baked

beans, fruit, fowl and fish. Much wild meat was eaten but generally not by the children until they were eight to ten years of age.

In mid-childhood, clothes were warm, almost bulky. Homespun linen shirts gave considerable protection and over these were pinned little blankets and shawls made by hand. The girls wore homemade slips, with little aprons, often with ruffles a plenty.

One elemental necessity of all children was the development of the principles of courtesy. Even the calling of nicknames brought punishment, and no less than the stocks was to be expected by the boy or girl who was guilty of lying or spreading of scandal. The children received little information of the happenings of the world outside the home. At the table they never sat until asked, as is evidenced by one of the rules of conduct for children: "Never be seated until required, ask for nothing, speak not, salt only with a clean knife, spit nowhere in the room but in the corner."

The hourglass was resorted to in most homes. A record exists of a clock imported into Massachusetts in 1780 at a cost of twenty-one pounds. Sundials were also popular. These conditions were already prompting clock manufacturing in the colony, and excellent workmanship was their worthy characteristic. Some of these clocks are in existence to this day.

Choice of colors in decoration of houses was an interesting feature of the period. Yellow and red seemed particularly popular and were generally to be found on houses of the outlying sections. There were no movable blinds, but wooden shutters were sometimes used.

Indoor Life

Simple were the cooking utensils, mainly of pewter and copper. So general was tea drinking that it was the custom of the time for every lady on a visit to carry her own tea cup, saucer and spoon. Nor should it be forgotten that these ladies could as suddenly give up their tea, as when the British Revenue Act went into effect in 1773. In this situation the social calls continued but coffee became the

accepted beverage. Knives were of steel, and rude shapen forks were made of the same material.

Bedrooms were generally unheated, even in the depth of the New England winter. After an evening at the spinning wheel or loom before the fireplace and its genial warmth, the cold of these sleeping rooms must have seemed bitter, but the family did the best it could. A woolen mat beside the bed was better than plain boards to step on, and a few minutes nestling in the feather bed and comforters brought warmth and rest. Nor should we forget the warming pan which was frequently used to take off the chill of the bedclothing before retiring. The outlook in the morning was not much better, with toilet to be made in water secured by breaking the ice in a bucket. No such thing as a toothbrush was in use.

Then came the sizzling hot ham and eggs, with biscuits such as only New England folks could make, and promise perhaps of the delight of a boiled dinner at noon,—utilizing ham, cabbage and other vegetables from the ample store put away for the winter.

Family Reading

When the hours of relaxation came, the colonial family had little of current interest to read. The newspaper service was painfully slow, with news from adjacent colonies perhaps a month old, and important political happenings from Europe appearing two or three months after their occurrence. Works of Josephus, Cowper, Shakespeare, Johnson and Addison could be found rarely in a Massachusetts home and still more infrequently such books as *Tom Jones, Robinson Crusoe* and *Pamela,* so popular in England. *Pilgrim's Progress* had many readers in America, but there was a scarcity of copies.

The Bible was the one great literary work of general use and inspiration. From the time of perusal of its pages in teaching the alphabet to children, the Sacred Word was the river of intellectual life as well as religious stimulus for the entire community.

Many great literary productions were coming from English minds during this period, but in the colonies literary

works took no forms other than diaries, almanacs and letters, save for an occasional religious work of note and profound theological treatises, such as the works of Jonathan Edwards and Timothy Dwight and Wigglesworth's renowned *Day of Doom.* An occasional publisher endeavored to sell lighter literature, as for instance the following extracts from an advertisement in the *Boston Chronicle* of January 12, 1769:

"Description of an Ourang Outang or Wild Man of the Woods,—an Account of a Savage Girl, caught wild in the woods of Champagne, France, several useful receipts in 'Farriery', cure for a sore back, the new and favorite Liberty Song, easy and natural method of curing diseases, etc."

Relations of the Sexes

The place of the woman in the colonial home is difficult to understand, even with the most painstaking efforts today. Her position in the community can best be illustrated by the simple statement that more than one hundred years elapsed from the opening of the first public school in Massachusetts before public provision was made for educating girls, and then only in a few country towns. Not till 1828, nearly two centuries from the first Massachusetts public school, were girls admitted with full equality to the enjoyment of a public education.

Even the term "Mrs." was in question. It was bestowed rather as a mark of esteem or position than as a mark of marriage. Cotton Mather writes of "Mrs. Sarah Gerrish, a very beautiful and ingenious damsel of seven years of age." "Bundling", a curious and much discussed custom, seems to have persisted from early times. It is difficult for us to understand such a procedure in that atmosphere of the strictest moral tenets; it smacked of the trial marriage with the assent of parents, though practiced theoretically from other motives. The custom throws light on the relation of the sexes. Women were beloved, genuinely, but appreciated and honored more for the services they rendered than for their leadership in things spiritual or intellectual.

The colonial woman adored her husband and lover with all the adoration of the wives of the Old Testament. Some

historians have scoffed at the devotion of the mothers of that day, pointing to frequent marriages, and to graveyards wherein one wife lies with four or five husbands. But through contemporaneous letters and records ample evidence exists that though the men may have been able to forget one woman easily for another, the woman rarely forgot the man. She gave him her all. Love was keen; passion intense.

One day, a decade after the Revolution had passed, there came to the historic, peaceful and friendly Bell Tavern at Danvers a refined beautiful woman, who gave her name as Elizabeth Whitman. As she entered the door, she read above it:

"I'll take you in if you have need
And feed you well and bid you speed".

The cordial message must have warmed her heart; she was ill and her features were lined with worry. It seemed as the days passed that she waited for someone who did not come. The instinctive curiosity of the town was aroused. It was noticed that hour after hour she sat by her window looking. No one ever came, except a babe, born dead, and soon after, the mother, too, passed away. In her effects was found a letter which may serve as proof for all time that the colonial woman possessed a heart of love and amazing forgiveness.

She wrote: "Must I die alone? Shall I never see you more? I know that you will come too late. This is, I fear, my last ability. Tears fall so, I know not how to write. Why did you leave me in so much distress? But I will not reproach you. All that was dear I left for you; but I do not regret it. May God forgive in both what was amiss. When I go from hence, I will leave you some way to find me; if I die, will you come and drop a tear over my grave?"

Also, she left posterity a short verse, poignant, stirring:

"O thou! for whose dear sake I bear
A doom so dreadful, so severe,
May happy footsteps guide,

And o'er thy peaceful home preside,
Nor let E—a's early tomb
Infect thee with its baleful gloom."

Indoor Relaxations

Despite the rigidness of doctrines, the people of this period drank vast quantities of beer and rum, besides some wine and brandy. They were especially fond of these stimulants on certain days, even celebrating with much imbibing the birth of babies. Drinking often reached the depths of vulgar drunkenness; the thought of a drunkard was enough to stir the civil authorities to action and the pulpit to a storm of denunciation. Women drank but little, and then rarely except in the presence of their families.

Card playing was definitely under the ban of church and government alike. Fines were threatened as high as seven dollars for each pack of cards sold, which promptly gave rise to bootlegging in aces and spades. Prohibition by no means stamped out card games, however, and after the Revolution playing became more popular and less obnoxious to the average citizen,—though the churches continued their warnings against this "heinous evil." The card game of "Boston," resembling the modern German "skaat," was introduced by British officers to relieve the tedium of the siege of Boston in 1775.

Dancing, by Revolutionary times, was considered proper even by many clerical minds, and was generally enjoyed. In fact, our forefathers seemed to have enjoyed the tripping of the "light fantastic" almost from the beginning of the eighteenth century. We have a record of a girls' school for reading, writing, ciphering, dancing, and use of the needle, as early as 1735. The dances were all of the English type, quadrilles and "country" (contra) dances.

Mischief by the younger set was by no means uncommon, and punishments were impotent, though severe, in checking many of the "unseemly acts of youth." We can enjoy even now the picture of a lad named Joseph who came down the main street of a Massachusetts town one afternoon with a cock at his back and a bell in his hand. As he tingled the bell, several young men, blindfolded, tried to follow him,

each carrying a great cartwhip. The mischief arose from the fact that, though the apparent intention was to strike the cock, in most cases innocent bystanders received the lashes.

Of quieter enjoyment, were the afternoon tea-drinking parties, followed by walks on the town green or mall. In the beauty of the New England springs, these strolls, so popular in those days, may well have been the happiest moments of colonial living.

Among the children, games as old as civilization persisted. Balls, rings, the game of prisoner's base, riddles, blowing of soap bubbles, tops, catch-cradles and dolls,—not forgetting "picadilly tag", a thrilling chase played over the snow, probably like the more recent "fox and geese." Dolls were rather crude affairs, but interesting and as much beloved as their brightly painted descendants of today.

Education of Boys

While education was narrow in scope, it was definite in principle and positive in application. The little red schoolhouses of New England have become a world-famous institution, and rightly so. Lessons were learned in an atmosphere of the sternest and most businesslike discipline. With all the limitations of goosequills, leather ink-bottles, and ink from dissolved powders, of teachers who were compelled to earn most of their bread and lodging by farm labor out of school hours, and of poorly heated and poorly ventilated buildings, the record of these institutions is an excellent one. It is to be admitted that the scope of the teaching was elementary and unscientific as to curriculum, but in the rigid building of character the schools of the Revolutionary period performed a most important contribution. Children were taught many of their lessons directly from the Bible, and the moral culture was easily stressed as the little ones received their knowledge of spelling and reading from the Testaments.

Until Noah Webster's *Selections* was available in 1789, almost the only reading book besides the Bible was *The New England Primer,* a most fascinating collection of rudimentary lessons and interesting facts. Few children were fortunate enough to own books and the blackboard was not

even known; in its place, the teachers walked from one child to another, "setting sums" for each to accomplish.

Exercises were often in rhyme:

"A gentleman a chaise did buy,
A horse and harness, too;
They cost the sum of three score pounds,
Upon my word 'tis true.
The harness came to half the horse,
The horse to twice the chaise,
And if you find the price of them,
Take them and go your ways."

Schools were heated from a fireplace, often a large one. A constant problem during the winter seasons was to keep the wood supplied in sufficient quantities to overcome the effect of snow falling directly on the hearth through an open chimney. Slab benches gave little comfort.

Rules were strict, even up to the schools of higher grade. Cash fines were imposed for offenses in colleges, as is shown by the "fine list" of Harvard for the year 1798, included in which are the following items;

"Neglecting to repeat sermon ..... 9d.
Entertaining persons of bad character .....1s 6d.
Profane cursing .....2s 6d.
Grads playing cards .....2s 6d.
Undergrads playing cards 5s
Lying .....1s 6d.
Opening doors by picklocks ..... 6d.
Drunkeness .....1s 6d.
Refusing evidence .....3s"

In the common schools, sessions were from eight o'clock in the morning to four in the afternoon, with a recess at eleven. School was invariably opened and closed with prayer and religious matters were studied on at least two days of each week. Copybooks were generally of foolscap paper, sewed and ruled by hand. Lead was melted in wooden molds for pencils and the quill pens needed sharpening almost as often. Slates seem to have been unknown until 1800.

Woburn actually paid a widow for keeping school in a

room of her own home, tax free, one shilling and three pence per pupil for an entire year. It is not to be wondered that much of the teaching of these early days never attained even the foothill slopes of science and literature.

A curious custom in the colleges, resulting in all probability from the method of seating in the meeting house, was the placing of students in accordance with social position of parents. A severe punishment in vogue was the degrading of a young man several positions in the class list. This penalty also meant the loss of the most livable quarters in the college and the right to get first chance at meals, an important privilege.

Education of Girls

Girls were provided with a little elementary teaching, mostly reading and writing, and not much of that. Sewing and dancing were expected as a natural accomplishment, and excellent results in dressmaking and the grace of colonial dancing resulted. Dr. Holmes, in writing of the belief of his time that literal pains should be taken in getting a straight back for young women, broke into serio-comic verse:

"They braced my aunt against a board,
To make her straight and tall,
They laced her up, they starved her down,
To make her light and small,
They pinched her feet, they singed her hair,
They screwed it up with pins,—
Oh, never mortal suffered more
In penance for her sins."

Boarding schools for girls were becoming general by Revolutionary times, and higher standards of learning were beginning to appear. Singing schools, too, were becoming popular, with frequent musical concerts, and other evidence of the growth of cultural interest throughout the Colony. It should be remembered that vocal music as we know it had just started in America. New psalm books were appearing. William Billings, by vocation a tanner, but at the same time a true musician, published an abridgement of his *New England Psalm Singer.* It has been said that this

publication "broke the ice which was congealing New England music."

Oliver Holden then started to compose hymns of charm. *The Worcester Collections of Sacred Harmony* appeared in 1797; later, in 1801, he wrote "Coronation", one of the most stirring pieces of music of the age.

The drear and the dark were still in evidence. Public hangings were the topics for long sermons in the churches of the day. Levi Ames, who was executed before a large assemblage on October 21, 1773 at Boston, presumably listened to an entire sermon on the Sunday before, preached to young and old on the unremitting punishment laid up for those who are wayward. Lotteries were common, usually for charitable purposes. Laws against them were not passed in Massachusetts until 1830, and many of the better enterprises of the time counted on this method of obtaining funds. It is an open question whether many of the people who received charity were not in need because of the losses in the lottery which purported to help them.

Some sunshine fell into the lives of the young people of colonial Massachusetts. The rigors of the earlier century slowly yielded to a broadening influence, particularly in games and on the stage, though as late as 1750 the General Court passed an act to avoid the "mischief of stage plays, interludes" and other theatrical entertainments which "not only occasion great expense and discourage industry, but tend to increase immorality, impiety and a contempt for religion."

The Continental Congress of 1774 discussed the growing influence of theatricals in the Colony, and it was the sense of that body that the stage and all its wiles should be frowned upon. But after the war was over drama began to prosper in Boston and the larger towns. Performances started at 6.30 and were creditably rendered.

Slavery

It has always seemed at first glance that the keeping of slaves in New England was in direct antithesis to the underlying principles of the day, freedom political and religious. The only satisfying answer, and even that is somewhat

clouded, asserts that the colonists believed themselves elect beings to whom God had given the heathen from Africa, or even America, as an inheritance. This doctrine had its root stem in Elizabethan Calvinism; generations passed before it was outgrown.

In 1790, the United States census showed 6,001 slaves in Massachusetts, and this was probably incomplete. It must be remembered that Massachusetts, along with the adjacent colonies, had been busy for many years in transporting slaves to this country, buying them for rum across the seas, and selling for cash in the central and southern coast sections of America. The suffering, squalor and mortality of the blacks on these trips to the unknown country of the whites is among the dark pages of our earlier days.

Chief Justice Parsons, of the Supreme Court of Massachusetts, in a remarkable decision in 1806 made the statement that slavery was introduced into Massachusetts soon after its first settlement and was tolerated until the ratification of the Constitution in 1780. "The issue of the female slave", he asserted, "according to the maxim of the Civil laws, was the property of her master". Ingenuously, he added, "it is very certain that the general practice and common usage had been opposed to this opinion." Marriages between whites and blacks were positively forbidden by law in Massachusetts from 1786 to 1843. Heavy fines were threatened for the breaking of these restrictions.

Anti-Slavery Sentiment

With the Revolution the inconsistency of fighting for freedom on the one hand and allowing slavery on the other had become apparent to many of the leaders of the colony, and many excellent addresses upheld the theory of the equality of men before God. Salem sent representatives to the General Court to urge action against slavery "as repugnant to the natural rights of mankind, and highly prejudicial to the Province." Braintree in town meeting on March 15, 1774, voted "very unanimously": "We will neither import, or purchase any slave imported since the first day of December last, and will wholly discontinue the slave trade; and will neither be concerned in it ourselves, nor will we hire

our vessels, nor sell our commodities or manufactures to whose who are concerned in it."

The leaders of the Tory faction of Boston were alive to the situation and used it to advantage. One wrote, in 1775: "Negro slaves in Boston! It cannot be! It is nevertheless very true. For though the Bostonians have grounded their rebellions on the 'immutable laws of nature' and have resolved in their Town Meetings, that 'It is the first principle in civil society, founded in nature and reason, that no law of society can be binding on any individual, without his consent given by himself in person, or by his representative of his own free election'; yet, notwithstanding the immutable laws of nature, and this public resolution of their own in Town Meetings, they actually have in town two thousand Negro slaves, who neither by themselves in person, nor by representatives of their own free election ever gave consent to their present state of bondage."

Two Negro men, captured on the high seas, were advertised for sale at Salem as a part of the cargo. A storm of discussion resulted in the following resolution, passed by the General Court on September 14 (16), 1776:

"Whereas this court is reliably informed that two Negro Men, lately taken on the High Seas, on board the sloop *Hannibal,* and brought into this State as Prisoners, are advertised to be sold at Salem, the 17th instant, by public Auction;

"Resolved, That all Persons concerned with the said Negroes be, and they are hereby forbidden to sell them, or in any manner to treat them otherwise than is already ordered for the Treatment of Prisoners taken in like manner; and if any Sale of the said Negroes shall be made it is hereby declared null and void; and that whenever it shall appear that any Negroes are taken on the High Seas and brought as Prisoners into this State, they shall not be allowed to be Sold, nor treated any otherwise than as Prisoners are ordered to be treated who are taken in like manner."

Nevertheless selling—and buying—of slaves went on. Advertisements appeared boldly in the newspapers offering special inducements to the buyer. *The Independent Chronicle* of May 8, 1777, carried one, "To be SOLD, for want

of employ, a likely *Negro-Girl,* about 18 years old, understands all sorts of household business, and can be well recommended." As late as March 15, 1781, the *Continental Journal* carried the following: "To be SOLD, an extraordinary likely Negro Wench, 17 years old, she can be warranted to be strong, healthy and good natured, has no sense of Freedome, has been always used to a Farmer's Kitchen, and dairy, and is not known to have any failing, but being with child, which is the only cause of her being sold."

Bills frequently appeared in the government chambers of the state to abolish legal slavery, but except for stirring debates and some learned discussions, little was accomplished. Most of the bills disappeared in committee or were tabled to die.

In the Constitution of 1780, however, Article I explicitly declares that "all men are born free and equal". It would seem that slavery ended therewith in Massachusetts as far as the law was concerned. That slaves were kept for many years afterwards is known; but gradually the leaven of the few redoubtable fighters for universal freedom worked and Massachusetts prepared herself for actual leadership against the very practice she had permitted and from which she had earned fortunes.

At first, during the Revolutionary War, Negroes could not be enrolled in the army. But with the tragic reverses of the historic winter season of 1776-1777, it was permitted to draft blacks at the ratio of one to seven. At the close of the struggle, however, the first militia act again closed the door upon Negro militiamen, March 10, 1785.

The Church a Social Institution

As the voice of political liberty was heard in the New England air, the strictures of church and civil restraints began to give way. The church itself began to take on the atmosphere of the club; going to meeting was usually the exciting and interesting event of the week, not only to worship but to associate, fellowman to fellowman.

The people of Puritan Massachusetts ordained certain set rules of the Sabbath day; they forbade the leaving of town on that day without permission, no trading was to be done, no walking along the beach or riverside even on the hottest days. No graves were to be dug, no coffins made, no funerals held,—and Sunday observance began with the setting of the sun on Saturday evening.

An interesting custom was the reception of presents by the ministers at funerals as well as at weddings. Rings and mourning gloves were given in abundance, the latter of which the reverend gentlemen usually sold to eke out their small stipend. One leader of a church flock who was careful of his records leaves account of 2,940 pairs of gloves which he had received from funerals, marriages and baptisms.

Future punishment or reward was regarded as inevitable, just as death; though actual fear of the passing away rarely is mentioned in letters or comments of the time. Judge Sewell had well illustrated the viewpoint of the future with these remarks at the burial of a little girl:

"'Twas wholly dry (the tomb), and I went to see in what order things were set; and there I was entertained with a view of, and converse with the coffins of my dear Father Hull, Mother Hull, Cousin Quinsey and six children, —for the little posthumous was now took up and set upon that, that stands on John's: so are three, one upon another twice, on the bench at the end. My mother ly's on a lower bench at the end, with head to her Husband's head, and I order'd little Sarah to be set on her Grandmother's feet. 'Twas an awful yet pleasing treat. Having said the Lord knows who shall be brought thither next, I came away."

Shrouds were the same for men and women, of white linen reaching below the feet. Children often acted as pall-bearers; coffin handles were of rope.

Church Services

Sermons of the period were long and argumentative; on the whole based on the logic of theology rather than the lessons of current existence. They were generally prepared well in advance of delivery and written on small sheets of

Courtesy of The Halliday Historic Photograph Co.

CHRIST CHURCH ("Old North") BOSTON

paper. That many of the worshippers would come five and six miles to listen was ample proof of the seriousness of purpose in the hearts of these people. Often a tavern was erected near the meetinghouse for the express purpose of refreshments for the noontide on the Sabbath day. This "nooning period" was a happy one for conversation and was also popular for wooing.

In the meetinghouse, especially good seats were reserved for justices and also for those who subscribed handsomely. The feminine section was led by widows who were considered most deserving; then wives of the highest contributors. Social standing also had much to do with the seating arrangements, and the committees who arranged these matters had many problems which called for thoughtfulness and tactful management.

Negroes sat apart in sections marked B. M. (Black Men) and B. W. (Black Women). Boys sat on the pulpit and in the gallery chairs. Unmarried women were in full view on the sides of the church. The square pews were partitioned, the seats narrow and uncomfortable.

One of the outstanding characters of the meeting was the tithing man with his wand. He walked quietly up and down, a long staff in his hand; the staff knobbed at one end for an obvious purpose. On the other end was fastened a foxtail or hare's foot to tickle those who succumbed to the wiles of sleep.

Churches were cold and some women brought footstoves, others hot potatoes in their muffs. In 1774, it was voted by the Old South Church of Boston that if stoves were left after the meeting the sexton should take them and be paid for his trouble before he would return them to their owners. Men were not accustomed to bring stoves, but some found comfort occasionally by bringing a dog to church and letting it curl about the feet.

Later the Old South installed a real stove, which called forth the following lines in the *Evening Post* of January 25, 1783:

"Extinct the sacred fire of love,
Our zeal grown cold and dead,
In the house of God we fix a stove
To warm us in their stead."

Ministers were paid by a tax which was compulsory on all property holders. Though the compensation was meager, the family of the minister was often a large one. Rev. John Sherman, of Watertown, was blessed with no less than twenty-six children by two wives. One clergyman of Attleboro supported a family of fifteen children and a grandchild on an income of $220 a year.

Not far from the church building the pillory, whipping post and stocks were generally erected, an example of the earnestness of the day to compel folks to contemplate the seriousness of sin and its consequences. Even the Sabbath school was at first looked upon as a desecration of the Sabbath day.

Outdoor Life

Love of the chase was general and hunts were not infrequent where large numbers took part. Some of the most thrilling and interesting from the viewpoint of general sport came from the environment of the frontier; one game in particular was known as "bearbayting," using codfish balls as "bayt." An advertisement in a Boston paper of January 11, 1773, reads, "This is to give Notice That there will be a Bear and a Number of Turkeys set up as a mark next Thursday Beforenoon at the Punch Bowl Tavern in Brookline."

A short distance from the settlements were the free hunting and fishing sections of rivers and mountains, where countless fish and game awaited the sportsman. Proficiency in shooting with the bow and arrow was developed among the whites, and as many fleet deer fell before the arrow as the leaden bullet. Archery matches were held on defense days, when training was in progress, though there are few records of prizes other than the acclaim of the crowds gathered to see the manifestations of skill.

Travel

A most serious obstacle to the intellectual development and creative thought of citizens of Revolutionary Massachusetts was to be found in difficulties of travel and the seclusion from contact with other colonies. Journeys were made either on horseback or stage, a slow and difficult undertaking. No systematic stage-route system was operated between Boston and New York until 1783; and but one stage a week at this period went to Portsmouth, leaving on Friday and returning on Tuesday. As late as 1786 but twelve horses and two stages were in use between Boston and New Haven.

Stages of this period had four benches and would carry a maximum of nine passengers. Leather curtains might be raised at the sides and rear and baggage went either on the passengers' knees or under the legs. Entrance to the seats was from the driver's bench in front, and the passengers who were assigned to positions in the rear were compelled to climb with as much ceremony as possible and dignity as well over the persons in front. No backs were built to the benches and a traveler who arrived at his place of destination without a severe case of lameness was fortunate.

Despite all these inconveniences many indications have come down to us of the friendly society of the passengers on these stages. Political arguments were many and are said to have waxed so warm at times that the driver would be compelled to threaten the passengers with his long whip.

John Adams's Summary

John Adams, in a letter to his wife in 1775, thus sums up conditions in Massachusetts: "New England has in many respects the advantage of every other colony in America, and indeed, of every other part of the world I know anything of.

"1. The people are of purer English blood; less mixed with Scotch, Irish, Dutch, French, Danish, Spanish, etc., than any other; and descended from Englishmen, too, who left Europe in purer times than the present, and less tainted with corruption than those they left behind them.

"2. The institutions in New England for the support of religion, morals and decency exceed any other: obliging every parish to have a minister, and every person to go to meetings, etc.

"3. The public institutions in New England for the education of youth, supporting colleges at the public expense, and obliging towns to maintain grammar schools, are not equalled, and never were, in any part of the world.

"4. The division of our territory, that is, our counties, into townships, empowering towns to assemble, choose officers, make laws, mend roads, and twenty other things, gives every man an opportunity of showing and improving that education which he received at college or at school, and makes knowledge and dexterity at public business common.

"5. Our law for the distribution of intestate estates occasions a frequent division of landed property, and prevents monopolies of land.

"But in opposition to these we have labored under many disadvantages. The exhorbitant prerogative of our Governors, etc., which would have overborne our liberties if it had not been opposed by the five preceding particulars."

Massachusetts Thrift and Steadfastness

The social life of the Revolutionary days was a life of simplicity, a life of courage. Stress was laid on every sort of economy and frugal living, though there were naturally exceptions to prove the rule. Extravagance was a sin as bitterly denounced as the breaking of certain of the moral codes. Only a few years before the Revolutionary War, the visitor to Boston might have witnessed three hundred "female spinsters, decently dressed, on the Common at their spinning wheels. The wheels were placed regularly in three rows, and a female was seated at each wheel. The weavers also appeared, cleanly dressed, in garments of their own weaving. One of them working at a loom on a stage was carried on men's shoulders, attended with music. An immense number of spectators were present." Undoubtedly this performance was but an argument for thrift, well arranged even from the viewpoint of the scientific propaganda of the present day.

Devotion to principle is the most outstanding characteristic of that day, a sincerity so deep that even the hour of death itself was but an incident. Joseph Eliot wrote that "the two days wherein he buried his wife and son were the best he had ever had in the world",—best because in his inmost soul he believed that his kin had passed from the turmoil and cares of a world of pain and sacrifice to a heaven of peace and rest.

A philosopher has remarked that the social history of modern times is made up of a series of revolutions, that any chosen decade might be called revolutionary in the general progress of civilization. The people of Massachusetts, having achieved the joy of accomplishment in the setting up of their part of the foundation of a new nation, were to continue on in their emancipation from the yoke of political traditions. They were too cautious, too wary of the radical, to make hurried changes in their customs or habits of thinking. Steadily and surely the principles of political liberty and of social liberty were working here, as indeed throughout all of the nation, towards a true democracy of life.

Massachusetts as it stood just before the Revolutionary period is an example of stern fidelity to a common faith. The life of her people was one with the beliefs of her people. A very active community, it was natural that Massachusetts should ever be in the forefront in the broadening of relationships, social, political and religious, which were to follow independence.

A French writer, Brissot de Warville, has written, "The Bostonians unite simplicity of morals with that French politeness and delicacy of manners which render virtue more amiable." Even to the visitor, that element of purposeful living was a preeminent characteristic of our pre-Revolutionary period.

Together with adherence to the teachings of the Bible and liberty of conscience, this sense of obligation and service is one of the greatest of the golden heritages handed down to this and all future generations of Massachusetts citizens.

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CHAPTER XI

MASSACHUSETTS WOMEN OF THE REVOLUTION (1761 – 1789)

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Who Were Women of the Revolution?

Who in Massachusetts are entitled to be called women of the Revolution? Abigail Adams and Mercy Warren of course; Deborah Sampson, who in the Continental Army fought a year and five months in the guise of a brave Massachusetts youth. But what of the rank and file? What part individually and as a whole did they play, and what effect, if any, did they have on the status of women in society and Commonwealth? The Revolutionary years from 1761 to 1789 included a generation. Little "Nabby" Adams, born in 1765, was Mrs. Smith when Captain Shays and his hungry neighbors attempted in 1786 "to water the tree of liberty with their blood." On the other hand, most of the Daughters of Liberty organized in the sixties' were dead before the peace was signed.

Girls became women early. "The minority of women in respect to marriage," wrote a visitor to Massachusetts in 1740, "is determined to be under sixteen." Some girls waited longer: Abigail Smith at sixteen was writing of men and the world like a woman of twenty-five. At the mature age of nineteen she married John Adams; Mercy Otis at twenty-six became Mercy Warren; but little Olive Pool was only fifteen when, in a scarlet gown, "trailing half a yard," she attended Harvard Class Day with the blue coated young man who married her two years later as soon as he was ordained.

These were patriots. What of Tory women living in Massachusetts during this period? They also shared in the terrors of the Revolution. Let us then consider all the parts of that feminine population in Massachusetts which, before

1789, came to be sixteen years old. Whatever affected their lives during the period is part of history.

Social Strata Based on Wealth

The population throughout the Revolutionary period was economically and socially highly stratified. This stratification is clearly described by Morison in his *Maritime History of Massachusetts.* The merchants controlled the working capital and ruled society and politics. They sold at retail or wholesale in their shops, but they were also owners or charterers of ships which fetched and carried their goods about the world. In addition they possessed fishing craft, whalers and coasters and manœuvred a world trade in fish. They underwrote insurance policies, acted as private bankers, and kept a weather eye out for profitable speculations in wild lands.

Not only these men, but also their wives and their daughters acted and dressed differently from the mass of the people. They expected deference and they got it. The prince of them all, perhaps, was Thomas Boylston of Boston, whose portrait in Harvard Memorial Hall is flanked by that of his wife. The portraits look as though his reputation of being worth about $400,000 was justified. Linked socially with the merchants were the crown officers and their families.

Social democracy did not exist in the seaports, and political democracy was disturbed in the town meetings, where the community capitalist was often moderator. In the back country lived the small farmers and their wives, all laboring with their hands. In the country towns economic equality existed and therefore political and social democracy.

Abigail Smith, the daughter of the minister of the town of Weymouth, and on the fringe of the wealthy merchant society, detected the economic base of society when but a girl of sixteen in the parsonage. "You bid me tell *one* of my sparks (I think that was the word) to bring me to see you", she wrote a young married friend in 1761. "Why! I believe you think they are as plenty as herrings, when, alas! there is as great a scarcity of them as there is of justice, honesty, prudence, and many other virtues. I've no pretensions to one. Wealth, wealth is the only thing that is looked after now."

"The Quality"

Boston and the other coastal towns shared the merchant and official society. "King" Hooper and his wife lived royally at Marblehead and at Danvers. In handsome Georgian houses at Salem dwelt the Derbys and Ropes, at Newburyport the Daltons and Heards, at Gloucester the Sargents, and at Beverly the Cabots. Sir Harry Franklin, Collector of the Port of Boston, had his city mansion, but preferred his beautiful manor house back from the coast at Hopkinton. The alert young girl in the Weymouth parsonage, younger cousin to the lively Quincys at Braintree, must have heard the story of Agnes Surriage, Sir Harry Frankland's beautiful mistress, a former servant maid in an inn at Marblehead. Even before he married her she rescued him in the Lisbon earthquake of 1755. As his wife she drove merrily down to Hopkinton to dance and flirt, to ramble in the exotic shrubbery. She belonged to the provincial eighteenth-century smart set. A lot of them, as Tories, were forced to flee the colony when General Howe evacuated Boston in 1776.

A more sober group, though containing future Tories, sat on Sundays in Old South Church listening to pious sermons. Many of these dignified folk, dressed in satins and laces, had their portraits painted by the brilliant Copley. They owned charming mansions in Hanover Street or Sudbury Street, as well as country estates, and gave stately parties.

When Anna Green Winslow, born in 1760, wrote her diary in 1770 to 1773, her Bostonian parents were living in Nova Scotia. Her mother came of wealthy merchant stock. Her father, Joshua Winslow, a Commissary General of British Forces, was of Plymouth descent. The diary, a remarkable document for a twelve year old in any period of history, records a charming mixture of the frivolous and the sublime. Precocity, vivacity, energy, and a healthy human interest were her most characteristic traits.

For example: "April 21. Visited at Uncle Joshua Green's. I saw three funerals from their window, poor Captain Turner's was one." She went to writing, dancing, and sewing schools, did a lady's spinning and sewing at home; attended Old South Church and Thursday evening lectures; spent hours in visiting; was delightfully vain over her dress;

danced by candlelight at formal little balls in which girls only, not boys, took part; and gaily set it all down in her diary for her own training in writing and the information of her parents. At ten years of age she records: "I think I have been writing my own praises this morning. Poor Job was forced to praise himself when no man would do him that justice. I am not as he was. I have made two shirts for Uncle since I finished mamma's shifts."

As for costume, listen to the girl of her period: "I was dressed in my yellow coat, my black bib and apron, my pompedore shoes, the cap my aunt Storer sometime since presented me with (blue ribbins on it) and a very handsome loket in the shape of a heart she gave me—the past pin my Hond Papa presented me with on my cap, my new cloak and bonnet on, my pompedore gloves . . . My cloak and bonnett . . . cost an amasing sight of money, not quite £45 . . . I have got *one* covering, by the cost, that is genteel, and I like it much myself. On Thursday I attended my aunt to lecture and heard Dr. Chauncey preach a Third sermon from Acts ii. 42. They continued stedfastly-in breaking of bread."

The Middle-Class and Farmer's Families

In 1777 Anna Sophia Parkman, in the parsonage at Westborough, revealed the more limited horizon and education of the country girl. Her diversions were occasional tea drinkings at home or with the neighbors, over-night visitors, a trip to Boston, a sleigh ride, and attendance at singing school and meeting. "A black saten cloke" and an under petticoat of a dead sister which the widowered brother-in-law sent her, "and some of Sukey's knit lace for a tucker" sent her spirits soaring. Though she spun flax, carded wool and wove, made shirts, and knitted gloves and stockings, her chief duty in the family division of labor was to wash and iron. A typical entry in the journal made in November 1777 reads:

"We wash. I do sundries in the kitchen. Mr. Sherman of Connecticut here and dined and Lodged here. p. m. I sew on Jemmy's shirt. Breck [a brother] is papering the old shop."

"Sophy" Parkman was one of sixteen children, all of

whom at one period in the family history depended on their father's salary. Naturally the town complained of the size of Parson Ebenezer's family, some thinking eighteen too many for them to support.

It is startling to discover so near the coastal towns, a homogeneous poor farming community like that of Sudbury, where the typical dwelling house had two rooms, a fireplace almost as large as a modern kitchen, an oven immediately over the fireplace, and a large stone hearth. Indeed two families were living in almost every two-room house; there was but one old chaise and no vehicle that could be called a carriage. People spun and wove and made their own clothing, and girls had to wear on Sundays old frocks which their mothers bought when they were married. On week days they wore blankets over their heads or their mother's old cloaks; and the women ran in and out of each other's houses ever ready to help a neighbor in her quilting. Or they swung wallets over their horses' backs, and stuffing them with pigeons or other homely products, jogged away to market as freely as the men.

Inequalities in Social Life

As late as 1784 at Easton, an inland town not thirty miles from Boston, Olive Pool and her husband William Read, the young parson, had to settle themselves and live on one hundred pounds (later eighty) the year. In 1784 John Adams in France was serving as United States treaty commissioner, and Abigail was writing home to Massachusetts from the beautiful chateau at Auteuil, which the commissioner had been obliged to lease as official residence:

"Thus, with seven servants and having a charwoman upon occasion, we may possibly make out to keep house; with less we should be hooted at and ridiculed and could not entertain any company."

John and Abigail Adams were never what the world dubs society folk, yet belonged to what today would be termed the intellectuals. There were servants in the house at Braintree; but Mrs. Adams might rise at five in the morning and skim the cream or "in imitation of his Britannic Majesty, kindle her own fire." During the war, in her effort

Courtesy of Society for the Preservation of New England Antiquities

Mrs. John Adams (Abigail Smith)

to economize when not only the responsibility of the household but of running the farm rested solely upon her, she doubtless worked harder than any manual laborer upon her place. She spun and wove with her maids, and together they clothed the household.

Another significant fact in the study of these women is that while Massachusetts society remained stratified during the period, the personnel within the strata was continuously shifting. Nowhere is the social side more clearly illustrated than in Massachusetts. Jameson says that more than half of the upper classes in New England were Tory, and during the period either voluntarily left or were harried out of the land. The Revolution doubtless brought privation and sacrifice in some form to the majority of the patriot women, though there was some compensation in economic and political power and their concomitant social prestige. Daring privateers made fortunes at sea and founded families dominant in the Commonwealth; and middle class people moved up into confiscated Tory estates.

Tradition says that the lively Anna Winslow at nineteen died of tuberculosis. Anna Winslow's father remained loyal to the King and fled from Massachusetts. In 1780 Sophy Parkman married Elijah Brigham, whose sole fortune was his Dartmouth education. Sophy's father asked him where he intended to live. He replied, "Here, if you should like it." The parson replied that he would do what was in his power for him. The parson saw before him a man of brain and character who in time became Judge Brigham and member of Congress. Sophy's early death is an example of the fate which two of her young married sisters shared with her before the advance of medical science.

Education of Women

The education of girls was exasperatingly neglected in Massachusetts in this period. Abigail Adams wrote in 1778 that it had been fashionable "to ridicule feminine learning," and in her old age she said that in her youth "female education in the best families went no further than writing and arithmetic; and in some few and rare instances music and

dancing." No girls were admitted to the Boston public schools till 1789.

Private and separate schools for girls were not uncommon. In Boston at least two prominent schoolmasters, in charge of public schools for boys, also conducted private writing schools which girls as well as boys from the best Boston families attended. Between 1761 and 1765 Nathaniel Holmes paid John Tileston for the tuition of Sarah Eell; and Mrs. Bright for that of Elizabeth Ingersoll. A decade later Anna Winslow and her friends were attending Master Holbrook's writing school in Boston. Perhaps Caleb Bingham's private school opened in 1784 was the first separate school for girls. In Salem one day in 1770, Daniel Hopkins opened for instruction in reading, writing and arithmetic a private school which seven-year-old Peggy Holbrook entered.

Meanwhile some of the smaller towns were more friendly to girls than were the larger places. The Weston records show that back in 1768, the town "voted to have five women's schools kept three months in the next season and to Begin aboute the middle of May next." Boys were so busy on the farms that girls perforce had a chance. Unfortunately summer schools were not permanent, for the town book of 1770 read: "To know the minds of the town whether they will have five women schools in the summer and it passed in the negative." In Holden in May 1772, a vote to appropriate money for "a woman's school" failed to carry. But five years earlier Hingham feminists carried a vote "to build a girls' schoolhouse," and as far back as 1745, "thirty pounds old Tenor money" was voted at Bristol "to encourage ye keeping of womens schools." Though the Dedham books do not record when schools were opened to both sexes, Carlos Slafter thinks that probably long before 1762 girls shared some of the school privileges of Dedham boys.

Even when girls were taught with boys, separate educational ideals prevailed. Women were the weaker sex and that was considered to mean mentally as well as physically. Latin was beyond their sphere; and some folk "considered arithmetic an almost useless subject for women to under-

stand." It was the age when letter writing was one of the arts, and in it Massachusetts women of the upper classes, at least, were encouraged to excel. No one with the instinct for literature may read Anna Winslow's diary without marveling at her literary gift and her joy in literary expression. Yet the keeping of a diary was regarded as one of her educational tasks, strictly supervised by her temporary guardian. Caleb Bingham's *Young Lady's Accidence,* which he prepared for his school, quickly became the outstanding text, and a favorite task was a formal letter to a parent, addressed as "Hon'd Madam." Such effusions were apt to be but pious ejaculations, as were the samplers, another popular form used to teach a girl how to know the alphabet and how to express herself with ease and no injury to the brain.

In a farming town like Sudbury the only textbooks used were the Bible, Dillingsworth's spelling book, the Primer, and the Psalter. The master set copies, and for his mathematical pupils wrote down rules and sums which they worked out on pieces of birch bark.

Special Schools

The minuet, like letter writing, was an art that had to be studied. As far back as 1739, the selectmen of Salem permitted Charles Bradstreet to teach dancing in connection with French "so long as he keeps good order." Other towns followed suit and in Anna Winslow's youth, Master William Turner, the fashionable dancing master of Boston, did not lack for pupils. Still dancing as a part of one's education was restricted to the upper classes.

In John Adams' diary appears what was probably a typical discussion among young married intellectuals on the value of dancing. Abigail's elder sister, Mary Cranch, announced that since she had attended commencement this year (at Harvard, of course), she quite altered her mind about dancing schools. Her husband assented, and remarked that all who learned to dance were so absorbed by it that they could not study. Finally the two agreed that if they decided to have their son prepared for college they would not send him to dancing school. Nor would they let their daughters go. John Adams declared that he had never known a good

dancer good for anything else; that Otis, Sewell and Paine danced, but none of them shone that way. Yet some influence withheld him from forbidding his sons and daughters to go to dancing school. His children, Nabby and John Quincy, learned to dance.

In a plain home like the Parkmans' the singing school was possibly a girl's chief diversion. It may be that eighteen year old Sophy Parkman handed her lover her dearest treasure when, as she notes in her diary, she gave him her singing book, "To Pric some tunes in it while I was gone to school." Leicester in 1767 or 1768 had a public singing school; but in 1778, Sophy in Westborough had to scrape up eighteen shillings ten pence to pay Mr. Badcock for her attendance at his school.

What Sophy knew of sewing she doubtless learned at home or in the town school, which may have offered, like the Dedham school in 1780, sampler making, patchwork, and embroidery. More affluent "Young ladies under twelve" and over, went to private sewing schools profusely advertised, where sewing often developed into an art that produced tapestries like "the wedding party in Boston in 1756." Even the intellectual Smiths dabbled in these arts. "Arrived with Abigail at my dear Brother Cranch's about eight," records John Adams in his early married life. "Drank tea, and are all very happy. Saw and heard the ladies talk about ribbon, catgut and Paris net, riding hoods, cloth, silk and laces."

Though girls learned to knit in the Ipswich school, Dr. Elizabeth Dexter found only one teacher in Massachusetts who specified spinning in her curriculum. The poorer girls, obliged later to clothe their households, undoubtedly picked up spinning and weaving from their mothers. Sophy Parkman was an expert. But wealthier girls were not always so accomplished, for at least one group of young ladies of "high rank," under the auspices of the Sons and Daughters of Liberty, were given a regular course of instruction in how to spin flax.

Abigail Smith

Though Abigail Smith was a delicate child who was kept at home and missed most of the limited educational advan-

tages of the girl of the day, her brilliant mind seized opportunities for self-education. Born in 1744, she came of a long line to whom ideas and discussion were as the breath of their nostrils. She grew up in her father's library, which was fairly comprehensive for that day. She was one of an alert group whose isolated lives, because of poor public transportation and slim pocketbooks, forced them back upon intellectual resources. Before she married John Adams, she seemingly found her chief diversion in composing letters. Her amazing precocity, her thinking for herself, appear in a letter which, at the age of sixteen, she wrote to a young married woman who somewhat coolly replied: "We are often disappointed when we set our minds upon that which is to yield us great happiness." Abigail countered with spirit: "I know it too well already. Daily experience teaches me that truth. And now let me ask you, my friend, whether you do not think that many of our disappointments and much of our unhappiness arise from our forming false notions of things and persons. We strangely impose upon ourselves; we create a fair land of happiness. Fancy is fruitful and promises fair, but, like the dog in the fable, we catch at a shadow, and when we find the disappointment, we are vexed not with ourselves, who are really the impostors, but with the poor innocent thing or person of whom we have formed such strange ideas."

This mind in which imagination and the thinking power innate to it had been stimulated by a solitary childhood, the freedom of a parson's library, and contact with her intellectual and cultured elders, had the good fortune to be thrown in intimate association in its still formative period with that of a college-trained man seven years her senior.

Abigail Smith's own natural taste early led her into the field of literature. She was passionately fond of all of Richardson's works, "even to his Pamela." She wrote when a married woman: "I believe Richardson has done more to embellishing the present age and teaching the talent of letter writing than any other modern I can name." The first English novelist to recognize intellectual aspirations in women, he made books and pens his heroines' most cherished possessions. In part from Richardson, more from her

own eager impressionable mind, ease, grace, lightness, above all, sincerity, came to distinguish her style.

Mercy Warren

Only when she corresponded with Mercy Warren, the notable literary woman of the day, did Abigail mount eighteenth century stilts. Mercy never learned to walk without them. Nevertheless, Mercy, in spite of her satires, her history, her poems, was the intellectual inferior of Abigail. Mercy, seventeen years Abigail's senior, was a professional writer and Revolutionary agitator. Abigail, sensitive, romantic, imaginative, with a keen mind and a capacity for emotion as bounteous as the sea, and artificially curtailed by her century and by her birth in a New England parsonage, found wings for her spirit in her immortal letters.

This literary rival was an unusual woman, remembered by posterity because of her character, her patriotism, her contemporary influence. She was the intellectual comrade and stimulator of Revolutionary leaders: of her brother James Otis; of her husband General James Warren, to whom John Adams unbosomed himself. She corresponded with John Adams, and to some extent with Sam Adams, Jefferson, Dickinson, Gerry, and Knox. It is said that at eleven years of age she studied with the tutor who prepared her brilliant brother for Harvard. Like Abigail Adams, she was probably self-taught and spurred on by contact with able minds around her.

In time, Mercy Warren became a notable example of the mediocre phenomenon over whom contemporaries lose their heads. They read avidly "The Adulator," printed in Boston in 1773, "The Retreat," and "The Group," which appeared in 1775. These inferior fragments of political plays, which excoriated Hutchinson and other leading royalists, filled the over-partisan patriots with mad joy. They read her unpoetical poems and her later didactic dramas. Some even waded through her *History of the Rise, Progress, and Termination of the American Revolution* in three volumes. She allowed her mind, like the bound foot of a Chinese woman, to be distorted by the artificialities of her age. Today her works are literary fossils.

Original by Copley

Courtesy of Hon. Winslow Warren, Dedham

MERCY OTIS (Mrs. James Warren)

Other Educated Women

Many Massachusetts women with literary aspirations taught themselves through the pursuit of good literature and practice in writing. More than one testified to a knowledge of Richardson by naming her infant daughter Pamela or Clarissa. President Quincy's wife relates that a Revolutionary lady who visited her father's house at Stockbridge realized her ideas of Mrs. Shirley in *Sir Charles Grandison.* Anna Winslow's aunt found Dr. Pemberton of the New Brick Church unpleasantly reminding her of Fielding's Parson Trullibar. Twelve-year-old Anna received a New Year's gift of the *History of Joseph Andrews*—abbreviated, not expurgated—and this young person recorded in her journal that she "laugh'd enough." On the same day she notes that she "read part of Pilgrim's Progress." From her cousin she borrowed *Gulliver's Travels,* abbreviated, and her literary sense constantly reveals itself in Biblical allusions.

Many in addition to Mercy Warren expressed themselves in poems. For example, Elizabeth Craft, who married a Princeton graduate, Caleb White of Brookline, wrote frequently in verse. Mary Flagg, of Boston, kept a commonplace book which she filled with recipes for cakes and puddings, selections from old English poets, and her own original verse. Anna Foster wrote poems on sermons she heard, on the popularity of the tavern on Saturday night, on the Lisbon earthquake, the vanity of this world, the safe delivery of a child, the repeal of the Stamp Act in 1776. Abigail Smith was no more alone in her taste for Dr. Young's *Night Thoughts,* for Dr. Isaac Watts, Rollins' *History of Rome,* Pope, Swift, than she was for Richardson's novels. But the poetical wonder of Massachusetts was the negro, Phillis Wheatley. Born in the jungle and for years a slave, she died in 1784, not yet thirty, in poverty but famous. Of her poems at least three editions have appeared.

Sarah Sartell Prentice, not too old to have been a Daughter of Liberty, educated herself in theology and was a protagonist of religious freedom. The mother of ten children, she is recorded as strong-willed and determined and able to quote any part of the Bible. She came under the influence of Whitefield, so fascinating to middle-class American

women, and revolted from the orthodox church, with the result that her husband mournfully and helplessly wrote in the church book: "She is a dissenter from the Constitution and doctrine of the New England Churches." She finally won him to support religious freedom, even though conversion cost him his church.

Equally vigorous but different was John Adams' friend, Hannah Quincy. When the two were hardly more than boy and girl, and Abigail scarcely out of the nursery, John recorded in his diary:

"O— [meaning Hannah] makes observations on actions, characters and events in Pope's Homer, Milton, Pope's Poems and plays, romances, etc. that she reads, and asks questions about them in company—'What do you think of Helen? What do you think of Hector', etc. 'What character do you like best? Did you wish the plot had been discovered in Venice Preserved'. These are questions that prove a thinking mind."

Anti-Tea Demonstrations (1767 – 1770)

Five women merchants of Salem united with the men in an organized protest against the obnoxious Stamp Act. But women in large numbers seem first to have been stirred by the Townshend Tax Acts. In 1767 Sam Adams and his followers were able to rouse not only men but women to defy the measures. Boston, Easton, and Ipswich speedily acted through town meeting to ban tea-drinking and stop the importation of British manufactures; the women were quick to endorse their action. Both the married and the unmarried in Boston hastened to take the pledge. By January 31, 1770, some three hundred mistresses of families had bound themselves to "totally abstain from tea (sickness excepted) not only in our respective families, but we will absolutely refuse it if it should be offered to us on any occasion whatsoever." "One hundred and twenty-six young ladies of Boston" signed a like agreement. Of course there were whispers around of another sort of action. In Ipswich, for instance, it was rumored that Captain Farley's wife persisted "in slipping in to neighbor Dame Heard's and partaking of the forbidden thing." Among the patriots "Liberty Tea" made of native herbs had rushed into fashion.

Daughters of Liberty (1768–1770)

As early as April, 1768, leading Massachusetts women were declaring homespun of domestic make the fabric of the hour. In Boston and other towns they organized their sex of all ages into Daughters of Liberty who met in groups to spin and weave at the local parsonage. The results were flattering. On April 20, 1768, it is recorded that the young ladies of Newburyport at the end of their busy day presented to Mrs. Parsons, a parson's wife, 270 skeins of good yarn and they drank tea made from ribwort. At Ipswich, in Chebacco Parish, June 21, 1769, seventy girls, ranging from thirteen years of age into the unknown, in a ten-hour day spun 440 knots of linen yarn, carded and spun 730 knots of cotton yarn, and 600 knots of tow, which made a total of 177 ten-knot skeins "all good yarn." Sometimes, as in Linebrook Parish, interest and achievement were further stimulated by making the occasion a spinning match. Perhaps a parson's wife, out of gratitude, or possibly out of benevolence, entertained thoughts of other kinds of matches and invited young men at the end of the working day to join the spinners. What if the parson did upset her schemes? "Lud!" some eighteenth-century miss might exclaim, "the parson is going to give us another discourse!" The parson may have been another Wiberd, in whose company John Adams, aged twenty-three, found that he could learn about those eternally interesting subjects, "human nature, human life, love, courtship, marriage."

These busy bees stimulated production and brought neighbors together. They stirred enthusiasm and helped to stimulate the patriotism so necessary to accomplish the war work that must be done day by day in the home. An example of patriotic industry is the hamlet of Middleton, where in ninety dwellings were worked between eighty and ninety looms. From January 1769 to January 1770, a total of 20,522 yards was produced, more than forty yards for each man, woman and child inhabitant. It is probable that women's work may have stimulated the merchants to sign the non-importation agreement of 1769.

Anti-Tea Ladies (1773 – 1774)

Three years of prosperous and comfortable conservative relations elapsed. Then another blunder of the British Ministry, Lord North's Tea Act of 1773, renewed the controversy. The first Continental Congress recommended that, barring a few excepted articles, the colonists should purchase nothing from Great Britain.

Again the Massachusetts women hastened to cooperate with the men. "I hope," wrote Mrs. Cushing, "there are none of us but would sooner wrap ourselves in sheep and goat skins than buy English goods of a people who have insulted us in such a scandalous manner." Mercy Warren accepting a conceit, which John Adams offered her, that in "the late frolic among the sea Nymphs and Goddesses there being a scarcity of Nectar and Ambrosia among the Celestials of the Sea, Neptune" had "determined to substitute Hyson and Congo, and for some of the inferior Divinities Bohea," wrote in her most polished and artificial style a long poem on the Tea Party entitled, "The Squabble of the Sea Nymphs: or the Sacrifice of the Tuscararoes."

Even her stilted phrasing could not stifle her patriotic ardor when she spoke for women in her verses: "To the Hon J. Winthrop, Esq., who on the American determination, in 1774, to suspend all commerce with Britain (except for the Real Necessaries of life) requested a poetical List of the Articles the ladies might Comprise under that Head." To Abigail Adams, tea was the weed of slavery; and even on the frontier her husband found that his hostess firmly refused to refresh him with a dish of tea, even though the tea had been "honestly smuggled" and "paid no duties." Thereafter he drank coffee daily, and wrote Abigail gloomily: "Tea must be universally renounced, and I must be weaned and the sooner the better."

At Salem tea-antagonism ran so high that, when it got abroad that Mr. James Bowler was hoarding tea, a group of women hurried to his house, demanded the tea, and destroyed it. Gossip said that some of these merry wives stuffed as much of the tea as they could get into long "pockets" which they carried, and smuggled it home for private consumption. This may be true. But enough Amer-

ican women were determined and consistent in their hostility to what they deemed "British Tyranny", to change the Americans from a tea-drinking to a coffee-drinking people.

All available spinning wheels and weaving looms were now dragged out as in 1768. Both men and women were emotionally roused. Even after blood had been spilled at Lexington and Concord, there was no movement for separation. Though Congress declared war, it sought only to organize resistance against what it considered Lord North's unconstitutional acts. Tories, however, were growing nervous; and one day in May the beautiful Lady Frankland, attended by a guard of six soldiers, might have been seen passing into Boston with her servants in charge of one chest, three beds and bedding, six wethers, two pigs, one small keg of pickled tongues, some hay and three bags of corn. She opened the Frankland mansion, and a month later, ardent Tory that she was, nursed with her own hands British soldiers who fell "in the tall grass of Bunker Hill."

Women in Boston (1775 – 1776)

No doubt many a Tory lady enjoyed with a good conscience the occupation commanded by his Majesty's most distinguished officers. Tradition says that even the young patriot beauty, Dorothy Quincy, confessed to a thrill over an Earl who slept in a tent among his soldiers encamped on Boston Common; and she evidently enjoyed being waked at dawn by Lord Percy's ringing voice as he drilled his troops through the winter of 1774-1775. More effete Britishers occupied former great houses. General Gage had Mrs. Hancock's house; General Burgoyne, Mr. Bowdoin's. At one time the General was occupying Mr. Sam Quincy's house, and a lady who lived opposite declared she "saw raw meat cut and hacked upon her mahogany tables, and her superb damask curtain and cushions exposed to the rain as if they were of no value."

No doubt with enormous pride the Misses Byles paraded the common with General Howe and Lord Percy and listened to the serenade which my lord ordered his regimental band to play especially in their honor. They were staunch Tories, daughters of the rosy-cheeked, curly-haired Dr. Matthew

Byles, the only loyalist Congregational parson in Boston, whose humor and good temper preserved his place for him.

Women in the Siege (1775 – 1776)

For the patriot women it was a different story. Guards of red-coats were stationed round the city, which none left without a permit from the commanding general. An inspector provoked many of the inhabitants "by his meanness in searching the pockets of women and men to see that they carried out no more money than Gage allowed."

Among those who hurriedly left Boston was Anne Swift. She wrote a pathetic letter in June, 1775, from "the woods" to the British officer who had secured her a pass, to ask of him a like favor for her "dear husband, who I hear is in a very weak state of health." Notwithstanding her appeal her husband "died in Boston."

Those who could get out fled to the neighboring towns, to Springfield, to the Nashua Valley, to Connecticut. "The money that has been paid for passes is incredible," wrote Abigail Adams. Those left in Boston, women as well as men, were under strict military supervision. A count of the population showed that about five thousand inhabitants remained. The day before the battle, someone saw Dr. Mather's daughter wandering over Charlestown looking for carts to transport her precious possessions. She was obliged to leave without them; and her father's famous books and manuscripts collected by himself, his father, his grandfather, and his great-grandfather were destroyed.

Disease and death did not put a quietus on Tory gaiety. Beginning in January, 1776, a series of subscription balls was announced to take place once a fortnight. It is probable that they grew a little rowdy. Perhaps some of the ladies were not all they should be. In the advertisement of subscriptions for the fourth ball, gentlemen were requested to be so good as to comply with the rules—particularly with that for "having the names of the ladies Wrote on the back of their Tickets." In March shortly before the British were at last forced out of Boston, all the milliners and mantua makers in town were busy making masks for the masked ball to be held on March 11. And on that day,

which was to become in future years a great national holiday in America, February 22, the Tory ladies must have read with zest in the Boston papers: "We hear ten capital cooks are already employed in preparing supper for the masquerade, which is to be the most brilliant thing ever seen in America."

Participation of Women in the War

To say that war is solely the affair of men is contrary to human experience. War cannot be solely an affair of men in a world of men and women. The responsibility for creating or permitting a situation to develop which makes war inevitable, the burden of sustaining it, the sacrifice which it involves, the glory or the odium of it, must be shared by women as truly as by men.

In the archives of Massachusetts, state, local and private, are recorded the sufferings and the voluntary contribution of women to our Revolutionary War, though secondary writers have strangely neglected that heroic sacrifice and participation. Even in such respectable series as the *Proceedings of the Massachusetts Historical Society,* sketches of revolutionary males abound, but rarely more than dates of a woman's birth, marriage and death, the names of her parents and her husband, and the number of their children.

Some eulogistic references occur as the tribute to Justice Story's mother. We learn that she was a woman of sense and energy, of active mind and cheerful spirit, and that on being left a widow with many children and a small income, "She showed an admirable tact and method in the conduct of her household and the education of her children." In the *Historical Collections* of the Essex Institute Daniel White's memoir records that his father married twice; that the first wife died leaving six children, and that the second bore eleven, one of them being Daniel. Doubtless Daniel thought he was supremely honoring her when he testified to his father's "handsome suit of snuff-colored cloth which my mother caused to be annually manufactured for him;" and again when he wrote: "My mother burdened with the care of a numerous and increasing family, manifested a devotion to her duties in the relation of wife and mother above all praise. Though so much younger than my father, she

seemed to me to be exactly suited to him in all respects and he to her."

Thus, with the externality of one composing epitaphs for expensive tombstones, have men disposed of women who lived through the Revolution, and gave as much in suffering and sacrifice in their lives as the men of their families.

Revolutionary Sewing Folk

In positive material fashion the Massachusetts women did a work which contributed to the Revolution. Three days after the battle of Concord, the Provincial Congress of Massachusetts passed the famous Coat Roll Resolution which called for thirteen thousand bounty overcoats, one coat for each private and non-commissioned officer in the Massachusetts Army. At the ratio of the last provincial tax which each town or district had paid, the legislators apportioned the bounty coats on all towns and districts except Boston and Charlestown. Men tailors could be found in the towns, but in this Revolutionary State, where females outnumbered males and where one-seventh of the males were in the army, the bounty coats must have been chiefly the work of women.

The Regulating Act of 1777 fixed prices for the making of coats, for wool, tow and cotton cloth, for flax, yarn stockings, and all varieties of spinning and weaving. A woman, born soon after the war, remembered an old lady's saying that with her baby in her lap she could make a man's coat in a day. In June, 1776, Abigail wrote: "Living is double what it was one year ago," and in August of the same year, "As to provisions there is no scarcity." But "one hundred pounds, two years ago, would purchase more than two will now."

In 1776, the General Court called on the towns to furnish four thousand blankets, stockings, and shirts to equal in number one-seventh of the males sixteen years old and over. In 1779 the quota was shirts and stockings to equal one sixth of the males; and in 1780, one tenth. Finally in 1781 more blankets, stockings and shirts were demanded. Women made these articles, and though some of the workers were professional spinners, tailors and mantua makers, accustomed to move from family to family to perform their diurnal

tasks, many must for the first time have grasped the meaning of economic independence.

Even little girls had a chance to imitate their elders in constructive patriotism. Ten year old Nabby Crafts, a colonel's daughter, not only helped her mother to make shirts for soldiers, but when Manchester's needles gave out, secured a supply from Boston. Like St. Christopher of old, she had to be ferried over rivers and streams, and to get into the besieged town she had to outwit a towering figure in a scarlet uniform. The guard admitted her, she secured her needles, and returned as she had come.

That youthful ardor which melts obstacles must have heartened many a mature woman. The fourteen year old daughter of a member of the Massachusetts Assembly, John Locke, of Townshend, found her mother in tears, because John, Junior, had been unexpectedly drafted to march in two days and she was unable to send him away equipped with winter trousers. The girl herself later told the tale, which gives the student some realization of the obstacles that Revolutionary women had to overcome.

"'Oh, if that is all', said I, 'we will spin and weave him a pair before he goes.'

"'Tut', said my mother, 'the wool is on the sheep's backs, and the sheep are in the pasture." . . . But the wool, . . . obtained, was duly carded and spun, washed, sized and dried; a loom was found a few doors off, the web got in, woven and prepared, and the pantaloons were cut and made, two or three hours before my brother's departure; that is to say, in forty hours after the commencement, without help from any modern improvement." No doubt many mothers and daughters privately fitted out husbands, sons, and brothers; and unattached Daughters of Liberty continuously met "to make riflemen's frocks, spatterdashes for the cavalry, shirts and gaiters for the infantry."

Women in Men's Pursuits

Research has not yet substantiated the tradition that women labored in the fields while the men were at war, though so great was the rage for privateering that Abigail Adams wrote: "If it is necessary to make any more drafts

upon us, the women must reap the harvests. I am willing to do my part." Nevertheless in other ways many women certainly performed the work of men. Women innkeepers in Massachusetts had been conspicuous since the seventeenth century. It is possible that women proprietors became even more numerous during the Revolution. The most conspicuous of them in Massachusetts was Dorothy Coolidge, who inherited her husband's proprietorship on his death in 1770. Over her famous tavern at Watertown swung consecutively the portraits of two farmers, His Majesty King George III and His Exellency, George Washington. Here both American and British officers feasted. And it is maintained that on the day of the battle of Lexington, Dorothy fed her celebrated golden johnny-cake hot to the volunteers. Certainly the town records show that the town paid her twelve shillings and eight pence for rum served to men who were in the battle of Lexington and Concord. Two months later the newly appointed commander-in-chief from Virginia breakfasted at her tavern, and the following winter the Washington coach and four with negro postilions in scarlet and white, and a guard of honor attending her, came rumbling up to the door with Martha Washington inside.

Before and during the Revolution there were not only many women merchants, but many women carrying on businesses which were usually considered the peculiar province of men. Women were horse-shoers, cutlers, tallow chandlers and soap makers, tanners, netweavers, owners of whalers, and coach-builders. Presumably women were proportionately more active and had more freedom in business affairs in the colonial era than they were to have again until a century later.

Woman's limited education restricted her in the field of teaching. Still women taught in the elementary schools of nearly every town, and the Dedham records between 1757 and 1775 list by name nineteen women teachers. In the intellectual field of editorship apparently there was but one woman in Massachusetts, Margaret Draper, a Tory widow, who in 1774 succeeded her husband, Richard Draper, as editor of the *News-Letter,* the first and last paper in colonial

Boston. Richard turned the paper into a partisan loyalist journal. When the British occupied Boston, Margaret, backed by the reigning authorities, acted as the military editorial mouthpiece. Her star set when Washington forced Howe to evacuate Boston. She fled to Halifax and died a few years later in England.

Women Soldiers

Only one Revolutionary woman soldier is recorded in Massachusetts; but she has become an historic figure. Romantic tradition has been busy with her career, but creditable records establish the following facts. From a spirit of adventure, patriotism, or disappointment in love, Deborah Sampson, aged twenty-one, descendant of William Bradford, left her home in Middleboro in May, 1782. In man's attire, as Robert Shurtliff, she enlisted for three years in the Continental Army. Mustered in at Worcester, she joined the active forces at West Point. She fought in several engagements, and proved herself alert, gallant, and fearless under fire. After nearly a year and a half of service, she was wounded; her sex was discovered in the hospital at Philadelphia. Returning home, honorably discharged, she found herself "excommunicated" from the First Baptist Church at Middleboro. She married Benjamin Gannett, lived in Sharon, had children, was pensioned by Massachusetts, and in 1805, by order of the Secretary of War, was placed on the pension list of the United States. Deborah died in 1827. A decade later her husband Benjamin, who had not fought, petitioned the United States for a pension and received it on the ground that he was the relict of a Revolutionary soldier.

Other women aided the patriotic cause in methods no less militant. The United States treasury records reveal the names of thirty-four Massachusetts women who not only held bills of the emissions of May 20, 1777, and of April 11, 1778, but later exchanged them for United States bonds. One fearless patriot having bought bonds on previous occasions, deposited twenty-three thousand dollars in the federal treasury in a single day.

A Stateman's Wife

The intangible contribution of women to the success of the Revolution was as significant as their material aid. To this the leading Massachusetts statesman testified. John Adams, a lover of truisms—when he himself uttered them—in 1777 reminded Abigail how he had often remarked to her "that upon examining the biography of illustrious men you will generally find some female about them in the relation of mother, or wife, or sister, to whose instigation a great part of their merit is to be ascribed. . . . A smart wife would have put Howe in possession of Philadelphia a long time ago." When Abigail had withstood the shock of bombardment, the siege of Boston, the scourge of dysentery, and, on a shortage of labor and funds, had successfully run the farm and fed and clothed her household, she wrote October 25, 1777: "This day, dearest of friends, completes thirteen years since we were solemnly united in wedlock. Three years of this time we have been cruelly separated. I have patiently, as I could, endured it with the belief that you were serving your country."

In four months she was asked to consent to his departure as an American Envoy to France; and both thought that eleven-year-old Johnny Quincy should accompany him. For four months she had no word of their safe arrival. After a year and a half she wrote: "Six months have already elapsed since I heard a syllable from you or my dear son." It was a joyful day when the two came home in August, 1778. But John was ordered to return immediately to France, and this time he took with him John Quincy and Charles. Though Abigail abetted their going, John had hardly left before she sat down to pour out her heart to him:

"Dearest of Friends,—My habitation, how disconsolate it looks! My table, I sit down to it, but cannot swallow my food! Oh, why was I born with so much sensibility, and why possessing it, have I so often been called to struggle with it. . . . I cannot resign more than I do unless life itself were called for."

When the separation had lengthened to three years and the date of reunion was still unsure, she rose to the height of patriotism. Some one asked her if she would have con-

sented to Mr. Adams's leaving her if she had known how long he would have to remain abroad.

"If I had known, sir," she replied, "that Mr. Adams could have effected what he has done, I would not only have submitted to the absence I have endured, painful as it has been, but I would not have opposed it, even though three years more should be added to the number (which Heaven avert!)"

Her ideal, if not her experience, was that of scores of Massachusetts women. Thus Mercy Warren wrote James Warren:

"If the public service can be promoted by your making a journey to Connecticut, I will not make the least objection to your going. I need not say how tedious is your absence, but the Great Lessons of self-denial and resignation are what the present generation are admonished to learn." And Mrs. Farley, with two soldier sons, watched her sixteen-year-old boy, Robert, enlist, helped him buckle on his equipment, and bade him, "Behave like a man."

Women Loyalists and Patriots

Today American women are organizing to bring about permanent peace in the world. Possibly independent of Whig or Tory sentiment, an anti-war feeling existed in Revolutionary Massachusetts. Certainly the Massachusetts women in the Revolution were the very opposites of pacifists. Their militant ardor is the more remarkable in that the war, because it was a civil war, brought an additional burden of sorrow and sacrifice. No one may read Hannah Lincoln's vigorous letter to her brother, Samuel Quincy, the loyalist, without freshly realizing the anguish of soul caused by a challenge to political principles. Love of parents, brothers, sisters, even exile from wife and children and from a lifetime's association were minor items in human experience. What plumbed the depths of men and women was: "Shall it be loyalty to the King? Or loyalty to Liberty and the rights of man?"

Hannah Lincoln before her marriage had been the able, thoughtful, Hannah Quincy, whom John Adams at twenty-three admired and believed he might have married but for an

interruption to a *solitude à deux* which he thought would have ended in courtship. Her brothers, Edmund, Samuel, and Josiah, like John Adams were stars in the galaxy of brilliant young Massachusetts lawyers. Edmund and Josiah, in laboring for the patriot cause, burned out like candles. Samuel, Solicitor of the Crown, astonished his friends by siding with the King. Before July, 1775, he cast his wife and their two young sons upon her brother's generosity, and fled to England. The Massachusetts Act of Banishment of 1778 included him, and he never came home. His wife died in Massachusetts before the peace was signed.

Meanwhile, Josiah's name was on the patriot tongues for his brilliant speech in Old South Meeting House, in 1773, the last formal speech made by anyone before the tea was destroyed. Years later an old man told how he saw Josiah's young widow and her little son drive past the British troops in their "scarlet uniforms sprinkled with gold" in the last carriage which General Gage permitted to pass over the neck of Boston. The old merchant, Josiah Quincy, the father of them all, was obliged to take refuge with his daughter Hannah in the Nashua Valley. The history of his family was no nine days' wonder, and Hannah's impassioned letter to her loyalist brother probably voiced the emotions of scores of other Massachusetts women, whose families the Revolution tore apart forever.

Frivolous Women

Some investigators into Revolutionary conditions fail to find in Massachusetts the conventional "lady" of the eighteenth century. Even in seventeenth-century Massachusetts Margaret Winthrop was not the only woman well born, gently bred, who had never labored for hire, nor even considered permitting her daughters to go out in service. If when actively engaged in managing her household she lent a hand in the work, she was not deviating from the practice of the Southern plantation mistress, universally accepted as "the lady," though one of the hardest worked figures in the aristocratic system of Virginia. To be sure, Sewall, a member of a leading Massachusetts family, in his famous diary, wrote that his eighteen-year-old sister Jane

was planning to leave Newbury to serve as maid in a Boston family. Whatever the earlier situation, when Abigail Smith and her contemporaries came on the stage, prosperous commercial Boston had a group of women who might almost have come within the English definition of lady.

According to an English visitor in Boston in 1740, the mothers of many Revolutionary women were taught music and dancing as well as sewing "and every other qualification that might render them agreeable." A few families kept a coach and four, several drove a pair of horses, but in the number of chaises and saddle horses they "outdid London."

Fashionable Amusements

In 1756, a New Yorker, Captain Francis Goelet, while awaiting the repairs of his ship, spent the autumn in Boston or its neighborhood, and he painted a "very rosy picture" of Boston society. "He was a guest of the Wendells, and he takes pains to state that the Company, on the various outings in which he disported himself were the first people in the town. There were dances, whist parties and rides to nearby towns for supper."

A young Massachusetts gentleman, a few years later, in exalted mood wrote: "Let others waste the bloom of life at the card or billiard table, among rakes and losses, and when their minds are sufficiently fretted with and influenced by wine, ramble through the streets, assaulting innocent people, breaking windows, or debauching young girls."

This same young man (our venerated John Adams) could not resist the frivolities which the times offered to a promising bachelor of twenty-two. "Here are two nights and one day and a half spent in a softening, enervating, dissipating series of hustling, prattling, poetry, love, courtship, marriage," he groaned on January 3, 1759, after the New Year's frolicking at the gay Quincys', the daughters of a substantial retired merchant who lived in Braintree. Eighteenth-century Massachusetts was not wholly Puritan, nor even wholly English, and the non-Puritan English stock, as well as the French and Irish strains, may help to account for the frivolity which certainly existed in the Province and in the Revolutionary Commonwealth.

Even an inland town, like Leicester, might have its gay set of men and women. A note copied from a private diary and quoted in *Historical Sketches of Leicester* gives this startling information: "In January, 1772, the Club met at ———Tavern and drank and played cards and quarrelled all night. They met again in February and carried on the same game; and in March they met and staid till Tuesday night; and they gave D's wife a mug of flip to kiss B. The names of some of these are W. B. R. and others. And on 23d May there was fiddling and dancing kept up in said tavern; and in July 5, the same again: all which is against law."

We have already noticed how Abigail Smith when hardly out of the nursery made up her mind that it was the possession of wealth which made a girl a belle. When privation and death ravaged Boston, the Tory ladies did not resign their balls. And when the patriot ladies inherited the town they did not abandon the Tory social tradition, though their opportunity for exercising it in war time might be limited. "Piety is not the only motive that brings the American ladies in crowds to the various places of worship," wrote the Abbé Robin of Boston women in 1781. "Deprived of all shows and public diversions whatever, the church is the grand theatre."

The virtuous abbé was mistaken in thinking that the Boston ladies of this period had no diversions. On October 29, 1778, John Rowe wrote in his diary: "General Hancock invited all the gentlemen of the French fleet to a grand ball at Concert Hall. Many gentlemen and ladies of the town were there and made a good showing." The Hancock ball was the return courteous, perhaps, for the "elegant" dinner which the Count D'Estaing had given Boston society on board the *Languedoc*. Certainly balls and dinners were given in Boston, and informal parties, including wedding feasts.

The Massachusetts Girl

When that young prodigy, John Quincy Adams, came back to America to finish his academic training at Harvard, he wrote long letters to his sister Abby, still in Europe, in which

one gets an interesting picture of the frivolous Massachusetts girl of 1785: "I have been grieved," wrote the sophomore, "to see the education given to numbers of young ladies. They talk of the follies and fopperies of Europe, but I think we go much farther than they do, we have no theatres and masquerades, I own, but there are assemblies, concerts, and balls and visits, which appear to me the most ridiculous method of killing time that was ever invented. . . . [Girls] think it beneath them to know anything but to dance and talk scandal! In this last particular they have attained great perfection. They are carried into company when they are far too young; and are taught if they can talk nonsense very fluently, and sit very straight and upright five hours together in one chair, they will be most accomplished women."

As to the beauty of these frivolous Massachusetts girls, there was but one opinion. A cosmopolite, an intimate of Thomas Jefferson, watched the dancing in the assemblies in Boston Concert Hall, and thought that in no other city in the world would one meet as many charming women on one occasion. And young Adams saw so much beauty that he grew blasé over it. "Many of them [at a dancing party at Mystic] were handsome," he wrote Abby, "but female beauty is so universal in this country that I pay little attention to it."

However one may prefer to dwell upon the soberer side of Massachusetts during the Revolution, the picture will lack accuracy if we leave out the more frivolous women. Among these also, we must not omit the professional prostitutes who were well known in Revolutionary Boston, British and Patriot alike.

Women in Politics

When Thomas Jefferson wrote his tremendous words: "That all men are created equal; that they are endowed by their creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness," he doubtless had in mind "men," as the human race. He was unconsciously opening up nebulous ideas which were electrifying thinking women as well as men. Those ideas involved challenge to class; and to economic control, the basis of

class. They were a challenge to any sort of arbitrary control —eventually they upset the conception of women as in subjection to men.

That clause about deriving their just powers from the consent of the governed—the right of those who suffer to refuse allegiance and even to insist upon the institution of a new government—was also to have its complete application near a century and a half later. In the Worcester records, the list of qualified voters for March, 1775, shows the names of Sarah Chandler, Mary Stearns, and Mary Walker. There is also evidence that in eighteenth-century Middleboro, "the sisters" were voting in church affairs. However, these are exceptional instances. In general no woman, married or single, voted even in parish matters. Legally, husband and wife were one person and the "husband was that person." He was likewise the owner of his wife's personal property. She could make no will without his consent, and if he chose he could will her own property away from her. Her husband might appoint an entire stranger guardian of her children. Before 1787, without her husband's consent no court could give her the power to sell or mortgage her own lands, though she were starving. A Massachusetts law of 1787 authorized the Supreme Court, if it chose, to permit a married woman to convey her own real estate if her husband had abandoned her and refused to support her.

Early Suffragists

Of the nonentity of married women before the law in an age when practically all women married, Abigail Adams was well aware. She wrote to John, in the epochal Continental Congress, suggesting: "And, by the way, in the new code of laws which I suppose it will be necessary for you to make, I desire you would remember the ladies and be more generous and favorable to them than your ancestors. Do not put such unlimited power in the hands of the husbands. Remember how all would be tyrants if they could. If particular care and attention is not paid to the ladies, we are determined to foment a rebellion and will not hold ourselves bound by any laws in which we have no voice or representation."

The husband threw back the ball. "As to your extraordinary code of laws, I cannot but laugh. We have been told that our struggle has loosened the bonds of government everywhere. . . . But your letter was the first intimation that another tribe, more numerous and powerful than all the rest, were grown discontented. . . . I begin to think the ministry as deep as they were wicked. After stirring up Tories, land-jobbers, trimmers, bigots, Canadians, Indians, negroes, Hanoverians, Hessians, Russians, Irish Roman Catholics, Scotch renegades, at last they have stimulated the ———— to demand new privileges and threaten to rebel."

Abigail's mind had seen what John Adams overlooked, that the logical result of the startling Revolutionary ideas was the same for women as for men. Hence her rebuke: "I cannot say that I think you are very generous to the ladies, for whilst you are proclaiming peace and good-will to men, emancipating all nations, you insist upon retaining an absolute power over wives. But you must remember that an arbitrary power is like most other things which are very hard, very liable to be broken."

Notwithstanding her light touch, it was obvious that she was pondering over the rights of women, though the phrase had not yet become a slogan. It would seem that she was even questioning the ethics of men in requiring women to resign their names for those of their husbands. "Why", she once saucily asked dignified John, "should we not assume your titles, when we give up our names?" In every phase of her thinking except that of religion (in which she appears wholly orthodox) this Revolutionary woman was anticipating twentieth-century feminism.

Effects of the Revolution on the Status of Women

"Fair seed time" had the souls of these Massachusetts women, and this generation is justified in believing that the Revolution had a permanent effect on the feminine Massachusetts mind.

(1) Thousands of bounty coat-makers, spinners, weavers, and knitters performing war-work, but receiving fixed wages, must have discovered that like men, women can be economically independent, and that economic independence increases individual freedom. This must have left its mark on

women's minds, though the cessation of the demand for war supplies, the return of men to their natural occupations, and the codification of laws curtailing the freedom of women in affairs, relegated their sex for half a century to a more restricted life than many of its members had enjoyed in colonial days.

(2) Women's war work could not have failed to make men more sensitive to women as individuals, and there seems little doubt that the Revolution hastened the enactment of the first law ameliorating the conditions of married women, and the Act of 1789, which first opened to girls the public schools of Boston.

(3) The Revolutionary phrases led the abler Massachusetts women to think as vigorously as men. If all men had certain "inalienable rights," did not women have the same? If governments derive "their just power from the consent of the governed," can they act justly without including the consent of women?

It is significant that the first organized revolt of women was precipitated by four women of whom two were daughters of a Massachusetts woman of the Revolution. Lucy Folger, a kinswoman of Benjamin Franklin, married one of the Coffins on Nantucket Island. Two daughters of this union, Lucretia, whom the world knows as Lucretia Mott, born on Nantucket Island on January 3, 1793, and her sister, Martha Coffin Wright, sat round a tea-table in July, 1848, with their brilliant friends Mary Ann McClintock and Elizabeth Cady Stanton of New York State. They determined to call a Woman's Rights Convention. But a convention required a codification of woman's grievances and statement of her case. How would four women without political experience accomplish such a task? Pride forbade their asking the aid of men! Then on one of those keen brains flashed the thought: Why not take the Declaration of Independence, and for the tyrant "king" substitute "men," and to the "rights of men" add the "rights of women?"

A few days later (July 19, 1848), a large group of men and women met at Seneca Falls and, after free discussion and due parliamentary procedure, adopted the Declaration of Sentiments. In this manner eighty years ago Elizabeth

Cady Stanton, Mary Ann McClintock and two descendants of a Massachusetts woman of the Revolution launched upon the world an organized revolt of women, which had its seeds in the Revolution and which has never ended.

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CHAPTER XII

ECONOMIC AND COMMERCIAL CONDITIONS

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Pre-Revolutionary Finance (1765 – 1773)

War always places a heavy drain upon the finances of a government. This is true of a strong and firmly established government; much more does it apply to a colonial government, poor in material resources, engaged for years in disputes with its sovereign over the principles of taxation. Under these conditions, it was impossible to develop a well-rounded system of finance which could be further extended when more urgent needs arose. Fortunately at the outbreak of the Revolution, the provincial government of Massachusetts was out of debt for the first time since 1690. By strenuous exertion the province had extricated itself from the embarrassments caused by the paper money issues of the first half of the century. Taxation was likewise reduced, and from an accounting point of view, the finances of the Province were in a sound condition.

Economy in governmental administration and the reduction in taxes, however, did not mean that there were abundant resources which could be drawn upon to support heavy expenditures, or that the financial system would be serviceable in times of emergency. Economy and low taxes were prompted by the growing desire to thwart the plans of the English government. The General Court refused to levy taxes which might indirectly be used to relieve the home government of expense.

In the earlier part of the century the General Court scrimped the governor's salary; in 1772 the quarrel took a new turn. Governor Hutchinson, in order to assert his independence of the other branches of government, declined to

accept any salary from the Province, receiving his compensation from the home government. He did demand, however, that his residence, the Province House, be repaired. The General Court, in reply, asserted that if the Governor wished to be independent as to his office, the colony was absolved from any further obligation.

Again in 1773 the Court affirmed its position: "With all the deference due to Parliament, we are humbly of the opinion that, as all human authority is, and ought to be limited, it cannot constitutionally extend its power to the levying of taxes in any form, on the people of this province." Similar disputes arose over the payment of salaries to judges. Thus, as relations between the Province and England became more and more strained, revenue was more grudgingly supplied. In June, 1774, after the passage of the Port Bill in the previous March, by the English Parliament, the General Court authorized the lowest tax levy enacted for twenty years.

Issue of Bills of Credit (1775)

Owing to these constant bickerings, the Province was ill supplied with immediate sources of revenue, and when the open break came and financial responsibility fell upon the new independent state, it was difficult to devise ways and means for securing financial support. It was natural, therefore, that the Province should turn to the use of credit, whereby the settlement of obligations was deferred to a future date.

Credit was sought for in two forms: loan notes and bills of credit. In May, 1775, closely following the battles of Lexington and Concord, the new Provincial Congress of Massachusetts authorized a loan of £100,000, bearing six per cent interest, payable in one year. For the taking up of this loan, appeal was made to patriotism; and as the loan notes were issued in denominations as low as £4, they were placed within the reach of patriots with humble means. Such notes, however, when once purchased, being of small denominations, served as a medium of exchange and became a part of the monetary circulation.

Coupled with the issue of loan notes was the issue of £26,000 of bills of credit to be used in payment to soldiers. These

notes were forced into circulation, whether acceptable to the soldier creditor or not; but the crisis was too urgent to wait for a levy of taxes, even if there had been the possibility of collecting an adequate amount.

Massachusetts had good company in its issue of paper money. Some of the adjoining colonies, as Connecticut and Rhode Island, were already circulating bills of credit before the Revolution began; and in the very month, May, 1775, that Massachusetts authorized its issue, the Continental Congress adopted the same financial policy. Under this central authority, $241,553,000 was emitted between 1775 and 1779. Other individual colonies also resorted to this agency of financing; Virginia issued $128,000,000; the two Carolinas $67,000,000. Compared with these amounts, the less than $4,000,000 issued by Massachusetts was sparing. Even if the Province had been more cautious in reliance upon credit funds, there would have been grave financial difficulties, for Massachusetts could not relieve herself of the embarrassment of Continental paper money. It circulated alongside the state bills; and in the emission of its bills, the Continental Congress assigned to each colony a certain definite proportion to be "sunk" or liquidated by the several colonies, according to their population. The medium of exchange was thus swollen by a mixture of Continental and state notes.

The first issues of the Province were quickly exhausted, and in August, 1775, another emission of £100,000 was made. The stirring phrase, "Issued in defence of American liberty," was printed upon the notes. For a brief period the new currency was accepted on a par with specie, but the public confidence faltered as issues poured in from the Continental Congress as well as from the signers of colonial notes in Boston.

Depreciation of Continental Currency (1775 – 1781)

Although Massachusetts was in part responsible for the issue of irredeemable paper money, the colonial government was helpless as long as continental currency flooded the state. Prices continued to soar. Beef in 1777 was 4d. per pound; three years later, in 1780, it was 8sh. 9d. (169d), an advance of more than forty fold. The price of Indian corn rose from

4sh. to £8 per bushel, and wool from 3sh. to £3 per pound. There was little that a single state could do unless the continental government changed its policy.

In 1780 Congress finally recognized the depreciation of its notes and made provision for the acceptance of paper in place of specie at the rate of 40 to 1. A tax of $15,000,000 a month was laid upon the states for thirteen months, to be paid in bills of the previous emissions; and these in turn were to be destroyed and replaced by a new issue not exceeding one-twentieth of the face value of the old. Nearly $120,000,000 were thus paid in by the states and destroyed; and of the new notes only $4,400,000 were issued.

The remedy, however, came too late. There were still millions in continental notes in circulation, and as yet no evidence that those in circulation would be redeemed. Within a year the notes were exchangeable for specie at the rate of 100 to 1, and soon they ceased to pass as currency at any ratio of exchange. Occasionally they were bought and sold for speculation, but not even a speculator would take much risk. In the diary of Deacon Buckminster this, as late as 1790, appears: "Sold 2,710 old Continental dollars for 2s. 9d. per 100. Total £-13. 14. 4." The new tenor notes, though limited in amount, were also regarded with suspicion and circulated at a rate of 4 to 1 for specie.

The chief sufferers from this depreciation were salaried men and soldiers. Ministers, who, as a class, were among the most loyal supporters of the Revolution, were frequently aided by town votes, assessing the minister's tax on a specie basis. For example, that $75. of paper money be reckoned as $1. worth of silver.

The Massachusetts soldiers who, for the most part were merged into the Continental Army, could not be aided by any such direct method. Indirectly, many of the towns endeavored to increase the pay of soldiers by supplementary wages and by bounties at time of enlistment. Braintree, for example, in 1778 voted to add to the state allowance, so as to make the minimum amount £6 per month. Shortly afterwards (1780), when paper money had little purchasing power, the town agreed to give a bounty of $1,000 and to add half a bushel of corn per day and forty shillings per month to the pay.

The town records of Chelsea furnish an amusing illustration of the confusion which frequently arose in making these special grants. On January 29, 1781, this town voted to give to eight soldiers, that were to enlist in the Continental service for three years or during the war, eight calves each, to be raised, kept and delivered to each of the soldiers at the end of the three years. Again in the same year it voted to give John Sack 100 hard dollars and four heifer calves to be kept and delivered to him at the end of three years as a bounty. Later, January 17, 1784, it modified its original promise, the vote reading: "Not to give John Sack $30 in lieu of two of the heifers that the town owed to him."

Efforts to Control Prices (1776–1779)

By January, 1776, public faith began to waver; and from then on the legislature endeavored, by ardent appeals to patriotism, warnings, and threatened punishment, to check depreciation. Individuals were "marked" who declined to receive the bills; committees were appointed to detect these "enemies to the country"; detailed price lists were framed to govern the buying and selling of commodities; and wages were set by law.

Legislation as to prices to prevent monopoly and extortion was minute and specific in its provisions. The act of January 25, 1777, prescribed the maximum price of more than fifty staple articles: "Good well fatted grass-fed beef at 3d. a lb. and stall-fed beef well fatted at 4d. a lb. and beef of inferior quality in equal proportion"; "good merchantable imported salt, at 10sh. a bushel, salt manufactured from sea water within the state at 12sh. a bushel." A convention at Concord in 1779 established the prices of meals at taverns: an "extra good dinner, £1; common, 12sh.; best supper and breakfast, 15sh.; common, 12sh.; West India flip, 15sh. per mug."

Even before the independence of Massachusetts was declared, April 13, 1776, the legislature passed an act providing that a citizen who should receive as pay any of the bills for a less sum than that expressed on the notes, should be incapable for ever after of holding any civil or military office in the colony. A fine of £20 was imposed for offering merchandise

for a less sum in silver or gold than in the currency of the United Colonies.

In 1779 the legislature took still more active measures to uphold the credit of paper money. Penalties of £50 to £500, or for want thereof imprisonment, were imposed upon any person who used any means "to hurt or destroy the credit of the public bills of this state or of the United States."

Those who raised prices were regarded in the words of a broadside poster, as "monopolizers and extortioners, who, like canker worms, are gnawing upon your vitals. They are reducing the currency to waste paper by refusing to take it for many articles. We have borne with such wretches but will bear no longer. Public examples are public benefits. You then that have articles to sell, lower your prices; you that have houses to let, refuse not the currency for rent; for, inspired with the spirit of those heroes and patriots who have struggled and bled for their country, and moved with the cries and distresses of the widow, the orphan and the necessitous, Boston shall no longer be your place of security."

The Last Stage (1780–1789)

After 1780, both the Continental Congress and the individual states were more sparing in their issues of notes of small denominations which might pass into circulation; and if there had not been such large amounts already afloat, some progress might have been made in reestablishing public credit. A considerable quantity of specie drifted into the country from the British and French armies, and also from captures on the high seas. But it did the government little service. As one writer expresses it: "While it passed freely among the population, not a dollar of it could be found in the state treasury, because a thousand claims stood then unsatisfied, and ready to seize upon it, as soon as its sound was heard."

The return to paper money revived the practice of counterfeiting. Irredeemable bills of credit deranged business, but the disturbance was greatly increased by the circulation of illegal notes. Efforts were made to prevent this result, but the state government was ill-prepared in the early years of the war to cope with this evil, and appeal was made to local authorities. For example, a counterfeiter in one of the towns,

convicted of raising a six-penny note to six pounds, was "whipped thirty and six stripes on the naked body" and confined in the town "with liberty to go one mile north from his house for the space of a year and a half."

Taxation (1777 – 1780)

Beginning with 1777, more vigorous attempts were made to raise revenue by taxation. Two levies were imposed calling for $1,413,000; in 1778, two levies, $1,698,000; in 1779, three levies, $28,530,000; and in 1780, three levies, $37,670,000. These large amounts, however, had little significance, on account of the increasingly depreciated paper money in which taxes were paid. In 1780 the ratio of depreciation was at least forty to one, so that a tax of $38,000,000 amounted to less than $1,000,000 in specie.

The laying of taxes was unsuccessful for two reasons. In the first place it was difficult to collect the taxes. Business was so disordered by the war and by the continental changes in the value of the pound or dollar that taxpayers found it difficult to meet their obligations. The experience of the town of Truro, on Cape Cod, is typical. The inhabitants petitioned the legislature that it was impossible for them to pay their taxes. The harbor was open to the enemy to land and rob them of their stock and burn their buildings. For four years "our constables cannot gather enough to support our revered pastor"; the town treasury was empty; the schools had been closed for six months; necessary town charges were unpaid; poor families, widows and fatherless children depended on the charity of the town; and "the greatest part of our men have gone into the war." In the second place, as prices were continuously rising, the purchasing value of the taxes to be used by the state government was much less by the time they were collected.

Legal Tender for Taxes (1780)

In 1780, the futility of taxes payable in worthless paper money was recognized, and the General Court ordered an annual tax of £72,000 ($240,000) running for seven years, pay-

able in specie, to be used to redeem outstanding notes and to pay interest on loans. This was a step in the right direction, but the imposition of the tax was easier than its collection. Tax collectors and constables appeared to be powerless. Again, an appeal was made to patriotism. The General Court, reorganized under the new Constitution of 1780, on October 25, in an address to the people declared: "We conjure you by all the ties of honor and patriotism to give up every consideration of private advantage; and that, without delay, you assist in supplying the treasury, as it is impossible to support an army if the people withhold their taxes."

In the hope of securing more prompt payment of taxes, the legislature in 1780 permitted taxpayers to pay in fourteen different commodities, at certain fixed rates. For example, pork would be accepted at £4 per barrel and wheat at 8sh. per bushel. Taxpayers, however, tending such commodities, had to pay the charges of transporting the goods to a public store. This method of "easy payment" of taxes was continued for several years, and the list of accepted commodities extended. In 1786, taxes could be paid in forty articles, including various sizes of nails, running from four-penny to twenty-penny. Eighteen public stores were distributed throughout the State.

Distribution of Taxable Wealth (1781)

The distribution of the assignment of taxes to the several counties and towns throws light upon the valuation of property and taxable wealth in different sections of the state. In 1781, Essex County bore the largest amount of any county, £46,280. Suffolk County followed second, £44,866. A comparison with the respective numbers of taxable citizens in the two counties, however, shows that the per capita wealth in Suffolk County was considerably greater than that of its northern neighbor. Worcester and Middlesex Counties ranked third and fourth in the distribution of taxes, with levies of £44,582 and £39,000 respectively. These four counties together bore more than one half of the total tax.

Among the towns the share of Boston was the largest, £20,000; followed by Salem, £6,700; Dartmouth, £4,400;

Bridgewater, £4,300; Newburyport, £4,100; Ipswich, £3,900; Beverly and Newbury, £3,300 each; Middleboro, £3,200; and Andover and Sherburne (Nantucket) £3,100 each. No other town paid as much as £3,000. Boston was assessed more than all the twenty-five towns of Berkshire County, and more than either Plymouth County or Bristol County.

Revenue From Import Duties (1774 – 1784)

As early as 1774, Massachusetts showed a liberal spirit in establishing commercial relations with foreign countries, for in that year import duties were omitted in the laws for collecting revenue. The colony's experience with English duties had caused resentment, and freedom in trade was welcomed. Obviously commerce was restricted during the war; though foreign powers seized the opportunity to engage in trade which had been denied while the colonies were subject to English rule.

The financial difficulties of the new state, however, led to a change of policy. In 1782 the legislature, in seeking additional revenue, reimposed tariff duties on imports. This was done with regret, for the preamble of the act declares that restrictions upon trade have been found to be highly injurious and good policy requires that the embarrassments thus arising should continue no longer than the necessities occasioned by war. Duties were therefore collectible only till six months after peace. The tariff rates were low: wines, tobacco, tea, sugar, iron, coaches, and a few other articles paid specific duties; other commodities paid from 2½ to 5 per cent on their value.

When peace came, the attitude of the legislature changed. English merchants, deprived of their colonial market for seven years, took quick advantage to reestablish trade with the United States and flooded the eastern ports with wares at prices which threatened to ruin domestic manufacturers. Tariff duties were increased in 1784. The rates on paper, candles, soap, linseed oil, leather, beef and pork were raised from 2½ to 7½ per cent; and on coaches, carriages, harness, saddles, boots, shoes, and plated ware, a duty of 12½ per cent was placed.

Policy of Protection (1785 – 1786)

Two years later the policy of protection to domestic industry was more openly avowed. It was then held "highly necessary for the welfare and happiness of all States, and more especially such as are republican, to encourage agriculture, the improvement of raw materials and manufactures, a spirit of industry, frugality and economy, and at the same time to discourage luxury and extravagance of every kind." Additional duties were therefore imposed running as high as 25 per cent on some articles; and the schedule of specific rates was enlarged.

Restrictive legislature was to go still farther. The return of the loyalists, many of whom were well supplied with funds, while the colonists were making sacrifices for sustaining the war, contributed to large expenditures for English goods. In the words of a Boston patriot: "On their return from England every species of luxury was introduced here and every kind of gew-gaw imported into this town with a purpose to drain us of our specie. Do we not know that in almost every ship that sails for England large sums of solid coin are exported to pay for these goods? Do we not know that large duties are laid upon our goods sent thither which amount to nearly a prohibition and shall we be so infatuated as to continue our intercourse with that nation who endeavored to enslave us by the sword, but not succeeding, are now trying imperceptible but more sure means." The Boston newspapers of this period were filled with notices, advertising the sale of jewelry, silks, millinery, and broadcloths.

In a handbill in the *Boston Independent Chronicle,* April 8, 1785, is this passage: "Study to discourage the British traders as their Parliament have discouraged your commerce. Bid them depart in peace, their persons sacred, their property inviolate. But let them not remain to undermine the basis of our empire by silently sucking the blood of each individual. 10,000 suits of clothes have this day arrived from Halifax; 10,000 more are hourly expected. Your trade is dead, your mechanics are beggars. Then rouze in the moment. Awake or be forever lost."

Prohibition of Imports (1786 – 1789)

The agitation for further restriction was also promoted by British regulations governing trade with the British West Indies. Trade with these islands had been profitable before the war, but England now restricted it entirely to British shipping, a policy maintained until 1828. Massachusetts in particular suffered from this regulation.

Aroused by these influences, the legislature in 1786 entirely prohibited the importation of fifty-eight different commodities. In this list of contraband articles were fur and wool hats, boots and shoes, millinery, lace, leather gloves, shell combs, hairpowder, perfumery and other articles of personal luxury. Among prohibited food commodities were loaf sugar, beer and ale, butter, cheese, and mustard. Exclusion also applied to spelling books, novels and plays, toys, paper hangings, manufactured tobacco.

This policy had a twofold object: the protection of new manufactures and the restraint of extravagant expenditures. Massachusetts was therefore prepared, when the new federal Congress debated the first tariff act of 1789, to give support to the clauses which would protect her domestic industries.

Financial Plight of the Government (1781 – 1787)

The financial plight of the new state seemed to be well-nigh hopeless. The debt in 1781 was $4,000,000 and the valuation of property subject to taxation was nominally only $11,000,000. Even the tax levied in 1781 was not sufficient for current expenses, and further debt must be incurred. Between 1780 and 1785, about a fifth of the taxes levied could not be collected. Popular opposition was so strong that the legislature suspended the collection of taxes for the retirement of notes which represented past indebtedness; and in 1785, neglected to levy any tax at all, even for meeting current expenses.

Although Governor Bowdoin besought the legislature at least to enforce taxation for payment of past debt, in accordance with the pledge made in 1780, the General Court ordered the treasurer to issue no warrants for the collection of taxes, and declared that the Commonwealth could not meet outstand-

ing liabilities, even if existing laws so demanded. The only redeeming feature in this policy of inaction was the refusal of the legislature to resort again to further issues of bills of credit. Again, in 1787, no tax was levied for current expenses, although Governor Hancock in his annual message stated that "the treasury is so far exhausted that the business of the government must cease its progress."

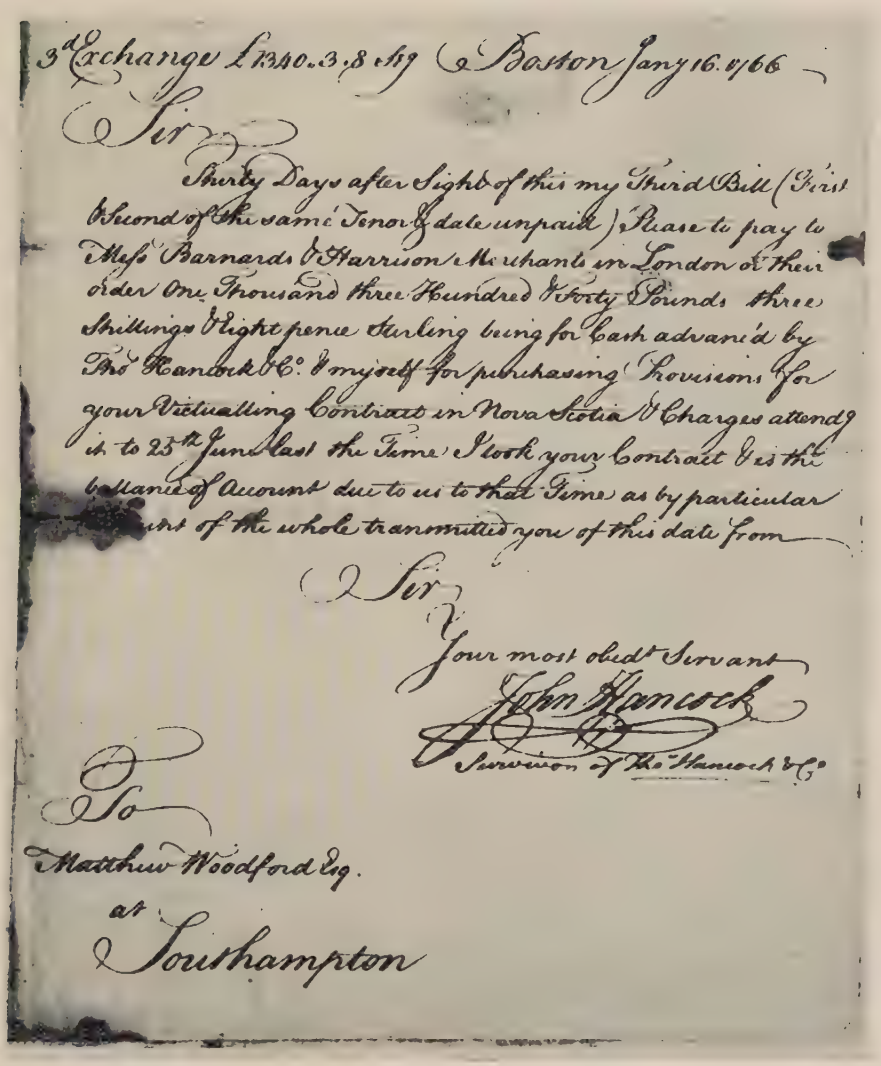
The State Debt (1781 – 1789)

Little headway could be made in establishing a sound system of state finance as long as the huge cloud of indebtedness hung over the treasury. Citizens refused to pay taxes when more than half the revenue disappeared to meet the interest, and there appeared to be scant opportunity to decrease the principal of this debt. The outstanding securities or notes of the state, which were evidences of the debt, were selling below their face value.

In many cases, they were now in possession of those who did not make the original loan to the state, but who had purchased them in the hope of making a speculative profit if redeemed at par. The sanctity of state credit was as yet little understood; and the citizens were not inclined to assist in an undeserved profit to those who traded in government securities. The soldiers had received their pay in money which was almost worthless; their families had suffered and many of them were plunged into debt. Why should those who had been wealthy enough to loan to the state government be repaid in full, particularly when a large part of the taxes to repay the loans fell upon these soldier families?

The state debt, in 1786, amounted to £1,632,000 ($5,440,000, reckoning $3.33⅓ to the pound) in specie value; and in addition there was an estimated liability to the Continental Government of nearly as much more. Reckoned in terms of dollars, the total debt was $11,600,000. To carry this debt would require an annual interest of less than $2 per capita. Judged by modern methods of public financing, this was not an overwhelming burden, but to the citizens of that first decade of independence it appeared to be a staggering load.

Even as late as 1790, there was difficulty in collecting taxes for current expenses, to say nothing of taking care of the debt.



3d Exchange £1340.3.8 Stg Boston Jany 16. 1766

Sir

Thirty Days after Sight of this my Third Bill (First & Second of the same Tenor & date unpaid) Please to pay to Messrs Barnards & Harrison Merchants in London or their order One Thousand three Hundred & forty Pounds three Shillings & Eight pence Sterling being for Cash advanc'd by Tho Hancock & Co & myself for purchasing Provisions for your Victualling Contracts in Nova Scotia & Charges attend[ing] it to 25th June last the Time I took your Contract & as the Balance of Account due to us to that Time as by particular Account of the whole transmitted you of this date from

Sir

Your most obed Servant

John Hancock

Survivor of Tho Hancock & Co

To

Matthew Woodford Esq.

at

Southampton

From an original Courtesy of Massachusetts Historical Society

BILL OF EXCHANGE

Taxes were in arrears, and the legislature asked the governor to remove county sheriffs who failed to force town collectors of taxes to do their duty. So strained was the treasury that the legislature once more resorted to authorizing a lottery.

Financial Relief (1790 – 1800)

Fortunately relief soon came. The new federal government, established in 1789 recognized that existing state indebtedness was largely incurred in a common cause and that equity demanded that the state debts be pooled together, assumed and finally liquidated by the nation as a whole. This action lifted $4,000,000 from the shoulders of Massachusetts. Moreover, the final settlement of accounts between the state treasury of Massachusetts and the former Continental Congress, disclosed a balance due to the state, amounting to $1,240,000.

The State treasury was also strengthened by dividends which it received from investment in the stock of the Union Bank (1794) and by sale of lands in Maine and western New York. By the end of the century, the State was practically free from debt; and then its financial worries created by the Revolution were at an end.

Sale of Land in New York

The claim of Massachusetts to the ownership of land lying in western New York went back to the terms of the early royal charters, and is elsewhere considered in this volume as a question of boundaries and sovereignty. Financially the story is brief and simple. Under the settlement with the United States and New York, under date of April 1785, ownership rights of considerable value remained in Massachusetts. It was unsettled country; few white men, except soldiers and trappers, had visited it. Those were days of risk and adventure, and speculation in land was one of the chief outlets of business enterprise. In 1788, two citizens of Massachusetts, Nathaniel Gorham of Charlestown and Oliver Phelps of Granville, agreed to purchase the rights which the State held to the western land. The price was $1,000,000 flat; but

payment could be made in certain forms of state securities which were much below par.

The new owners immediately by purchase extinguished the Indian titles to nearly half of the total area, and opened the land to settlement. Many emigrated from Sheffield, Northampton and Springfield. Phelps and Gorham, however, were unable to meet their obligations to the State, for the state securities or scrip, in which payment was permitted, rapidly rose in value. Soon after the land purchase was made, Gorham and Phelps therefore reconveyed back to the State that portion on which Indian titles had not been extinguished. This was later sold to Robert Morris, the former treasurer of the Continental Congress. The whole transaction furnished a striking illustration of the uncertainties of business transactions when credit was unstable and the population was seeking new homes.

Material Progress (1778 – 1781)

The foregoing description of the financial operations of the state governments presents a dark and depressing picture, and does not do justice to the brighter aspects of the social and economic life of the Commonwealth. During this period, notwithstanding the financial blunders made by citizens when associated together for handling the affairs of government, the community as a whole made marked progress in material prosperity. War stirred the population to new efforts and set in motion activities which extended business enterprise.

Only a small portion of the state, Boston and its immediate vicinity, was the scene of actual warfare; and after the first two years, even that limited area was free from the destructive ravages of war. As early as 1777 a leading Boston merchant wrote to a correspondent in England: "Though our money has depreciated, the internal strength of the country is greater than when the war began; and there is hardly a town that has not more ratable polls than at that time. And though many individuals suffer, yet the farmer and the bulk of the people gain by the war." Before describing some of the characteristics of this development of business activity, a brief statement should be made in regard to the changes in population.

Population (1781 – 1790)

When Massachusetts entered upon the Revolutionary struggle, its population was nearly 300,000 (excluding Maine), or about one-tenth of the total number of inhabitants in the thirteen colonies. Only Virginia and Pennsylvania contained a greater number. The Indian population had nearly disappeared; it could not have been more than 1500, and these were for the most part located in the coast towns south of Boston and on Cape Cod. Of negroes there were about 5000; many of these were slaves, but the state constitution adopted in 1780 did away with bondage; and in the census of 1790, Massachusetts was the only state which returned no slaves. The white population was largely of British stock, making a homogeneous group, with common traditions, similar habits of thought and economic aptitudes.

The population in 1781 was scattered over 236 townships. It reached what is now the New York border, but the greater number was concentrated at the eastern end of the state. In the counties on the coast lived 170,000; 90,000 in the counties of Middlesex and Worcester; and 33,000 west of the Connecticut River.

Just before the Revolution, Boston, the largest town, included nearly 15,000 inhabitants. Next came Dartmouth, in Bristol County, with about 7,000; and then there was Salem with a little over 5,000. Seven towns—Ipswich, Marblehead and Gloucester in Essex County; Bridgewater and Middleboro in Plymouth County; Rehoboth in Bristol County, and Sherburn (Nantucket) in Nantucket County—lay within the 4,000 to 5,000 stratum.

Although Massachusetts furnished more troops in proportion to her population than any other state, suffered more in casualties of war, and lost a considerable number by the emigration of Tories, the population increased during the Revolution; and in the later years of the war showed more men of military age than at the beginning. Young men in their military campaigns travelled far in those days; new opportunities for settlements were discovered, and the spirit of enterprise inspired the establishment of new homes when the war was over.

Settlement (1781 – 1789)

Agriculture continued to be the principal industry, except in the coast towns, which devoted their energies to shipbuilding, manufactures and trade. The agricultural section of the community, however, was not so stable as in the earlier part of the century. Land ownership was frequently sought, not for settlement, but for speculation. Speculation in land values was developed in part by the rapid rise in prices caused by monetary inflation. In many cases of the land transfers, no longer did the qualifications of personal character, religious conformity, and interest in permanent ownership prevail which had governed the earliest settlements. As early as 1725 the policy of distributing new lands only to settlers began to decline. Entire townships were sold to grantees whose chief interest was to resell at a profit. Many farmers, particularly in the central and western parts of the Province, moved two or three times during their lifetime, pioneering in the hope of making an added profit by bringing new land under cultivation. After the Revolution, the state showed a liberal policy in distributing vacant lands. A growing population also pressed upon common lands which lay roundabout the town settlements; and these were divided up for individual ownership.

A township settlement was made up of from fifty to one hundred farms. At the center was the country store, where trade was largely transacted through barter. Here were brought the staple articles which could be spared from the farmer's yield, and in return exchanged for cloth, crockery, salt, molasses, sugar, and rum or other liquors. In turn the storekeeper sent at stated intervals the farm products which he had received, to Boston or other ports where they supplied the non-farming population, or became a part of the commercial exports.

Methods of Farming (1750 – 1790)

Little progress was made in the latter half of the eighteenth century. A competent observer, writing in 1785, noted that farms were too large to secure the best cultivation; the farmer had too little capital, and there was too little fertiliz-

ing; "worse ploughing is nowhere to be seen." Indian corn was still the principal farm crop, using two-thirds of the cultivated area, followed by rye and oats which together took in about a fourth. But little wheat was grown in the eastern part of the state, and for wheat flour and bread the population was largely dependent upon imports from Pennsylvania, Maryland and Virginia.

By the end of the century, wheat bread practically disappeared from farmers' tables through most of New England, and this was true even for the well-to-do population in the coast towns during the Revolution, when commerce was interrupted. Rye flour and Indian meal was the standard bread of farm families. Barley was exported to the middle states where it was brewed for beer. There was also an export market, when commerce permitted, for cider and cider brandy, as well as apples to the West Indies.

Much of the farm land was devoted to the growing of hay for feeding of livestock. According to Bidwell, the historian of agriculture in New England, the equipment of livestock on a typical farm in eastern Massachusetts in the latter part of the eighteenth century was one or two horses, one or two yoke of oxen, fifteen head of cattle, about the same number of swine, and on some farms ten to twenty sheep. During the Revolution, the flocks of sheep were increased, due to the need of wool for clothing, when importation from Europe was interrupted. There was also an increasing demand for pork products to supply the fishing fleets. Oxen were still the principal draft animals on the farm, far exceeding horses in number.

Farm Labor (1780 – 1800)

Labor on the farm was largely done by the owner and his family. In the summer, outside labor, if available, was frequently employed. Before the war a farm wage was two shillings per day, and in winter, one shilling, three pence. These rates, however, were greatly advanced during the Revolution owing to the depreciation of paper money. Farm implements and tools were still crude. The two-wheeled cart was used in summer and the sled in winter. Threshing of grain was done with the hand flail.

In the early years of the war, when Massachusetts was the

seat of hostilities, farm labor was especially scarce. A large part of the vigorous male population was called to arms, and much of the farm labor was carried on by women and children. In November, 1776, one fourth of all able-bodied males, sixteen years of age and upwards, who were not already in military service, were ordered to be in readiness to march for service of three months. Boys at the age of fifteen were regarded as "seasoned continentals." The wife of John Adams in 1779 wrote her husband that more than half of those between the ages of sixteen and fifty in the town of Braintree were in service; and she patriotically added: "If it is necessary to make any more drafts upon us, the women must reap the harvests. I am willing to do my part; I believe I could gather corn and husk it, but I should make a poor hand digging potatoes."

After peace was established, greater attention was given to improving agricultural methods. In 1792, the Massachusetts Society for Promoting Agriculture was incorporated, with the specified objects of holding exhibitions and improvement of agricultural tools and breeds of stock. Shortly afterwards (1794) the Middlesex Agricultural Society was formed, the first county association in the United States.

Dearth of Manufactures (1775)

Progress was made in various branches of manufactures during the Revolutionary period. Cut off from foreign supplies by the hostile navy of England, it was necessary to produce domestic goods to meet the wants of the people. Particularly active were those industries which had been restricted by the regulations of the British government. Among those industries frowned upon by England was the colonial manufacture of finished products of iron and steel, paper, hats and woolen cloth,—all necessities of life which the colonist could not well sacrifice. Resentment had led the colonists to make non-importation agreements under which they refused to buy goods of English manufacture. At the Harvard commencement in 1770, the graduating class appeared in black cloth of New England make.

It would be tedious to describe the changes which took place in all the different branches of manufacturing industry

in this period; but a summarized account of a few of the most important will show that the recovery from war was rapid.

Iron Industry (1775 – 1789)

The opportunity for developing the iron industry was limited. In small areas, in the eastern part of the Province, deposits of bog iron ore existed; and in the hill towns of the western counties were deposits of brown hematite and magnetic ores which were worked. The few foundries already established were converted to the casting of cannon, shot and shell, and new ones were soon established to meet the urgent demands of war. These were small affairs, few employing more than a dozen men. The charcoal which fed the furnaces was made from the neighboring pine trees.

Springfield began the manufacture of metal goods, including firearms, and laid the foundation of an industry which has been preeminent to the present time.

In the eastern part of the state were rolling and slitting mills for the making of plates and rods for nails, hoops, tires, and sheet-iron. Naileries, for the manufacture of nails were scattered throughout the Commonwealth; and in one of these, at Westborough, Eli Whitney, afterwards famous for the invention of the cotton gin, was busily engaged during the Revolution.

In the small town of Sutton, south of Worcester, were 7 trip-hammers, 5 scythe factories, 1 axe factory and several naileries. Before the end of the century Plymouth and Bristol counties, in the southeastern part of the state, contained 16 foundries, 20 forges, and 7 rolling and slitting mills. Paul Revere was the proprietor of a foundry in Boston, making cannon and bells. While all these establishments were small, and the total number and capital engaged in the industry not large, the industry was sufficiently advanced in 1789 to claim protection in the tariff act of that year, in the belief that Massachusetts would take a leading place in the manufacture of iron and steel products.

Cloth, Leather and Paper Manufactures (1781 – 1800)

In 1786 the first jenny and stock card manufactured in the United States appeared at East Bridgewater; and in the fol-

lowing year, a company was organized at Beverly to manufacture cotton cloth with an imported jenny and carding machine. A little later (1793) the first factory to produce woolen cloth was erected at Byfield. Woolen factories were also established at Watertown and in Stockbridge in the western part of the State.

The manufacture of leather and shoes was well established before the Revolution, particularly in Essex County. The hemlock forests made tanning feasible, and tanneries were found throughout the State. Lynn, however, early became foremost in the manufacture of shoes, followed by Boston, Quincy, and Reading. Shoes were made in households and small shops. By 1795, there were in Lynn alone, 200 master workmen, and 600 journeymen and apprentices. The product was more than enough to supply the home market; and at the end of the week the shoes were taken on horseback to Boston or Salem, from which towns they could be more widely distributed.

At the outbreak of the war, three small paper mills existed in Massachusetts. English manufacturers had opposed their establishment, and there was difficulty in sparsely populated towns in collecting rags from which paper was made. In a Boston newspaper in 1769, an advertisement announced that "the bell-cart will go through Boston before the end of the month, to collect rags for the paper-mill at Milton, when all people that will encourage the paper manufactory may dispose of them."

In less than twenty years the number had grown to twenty, the larger number being located on the Charles River. The manufacture of wall paper and paper hangings began shortly after the Revolution, and so successful was this new fashion of house decoration that the product was marketed in other states.

Miscellaneous Industries (1775 – 1789)

At the outbreak of the Revolution, Boston shared with Philadelphia the honor of leadership in the printing industry. The Stamp Act (1765 – 1766) and the act taxing paper (1767) were designed to obtain a revenue from printers and the press; but this repressive legislation directed against the spread of knowledge inflamed the spirit of revolt and tended

to unite the printers with the ministry as ardent defenders of liberty in the internal affairs of the colony. In 1775, in all the colonies thirty-seven newspapers were published; seven of them were issued in Massachusetts, (five were in Boston, one in Salem and one in Newburyport.) The military events of the Revolution and the rapid political changes associated with the establishment of new state governments and the Confederation of the states, stimulated the demand for news; and the number of newspapers rapidly grew after independence was declared.

For one of the most important necessities of life, salt, Massachusetts had been dependent upon foreign countries. Before the Revolution salt was imported from Spain, Portugal, France, and the West Indies. During the war, there was great scarcity, and many small works were started on the coast producing salt from sea water, either by solar evaporation or by boiling. The industry thus established reached considerable proportions and was protected by the tariff act of 1789.

Soap and candles, from the beginning of colonial settlement, had been a household manufacture; but in addition imports came from abroad. The war led to the growth of this manufacture, and many small shops were established which ultimately competed in foreign markets. These products also received protection under the first tariff act.

Glass making was also undertaken. The few attempts made before the Revolution were failures; but in 1787 a company was chartered in Boston and successfully manufactured crown window glass. In Boston and its neighborhood there were rope walks, sugar refineries, and also a chocolate mill. The manufacture of combs engaged the activities of several small factories in Leominster and West Newbury as well as in Boston. By 1789, Massachusetts was exporting brick.

Revival of Commercial Enterprise (1775 – 1787)

Although the commercial regulations of England restricted American commerce with the West Indies, and the policies of France and Spain placed obstacles to freedom of trade with their colonies, Massachusetts enterprise did not abandon the sea during the Revolution.

During the war, her fishermen and sea captains turned their talents to privateering. "Lines and tubs had given place to cutlasses and swivels; out of the sounding leads bullets had been melted; the hold of a vessel, once filled with salt and fish, furnished commodious quarters for a score or two of fighting seamen." When the war was over, the coast towns naturally took up again their former industries of fishing and voyaging. By the treaty of 1783, through the staunch efforts of John Adams, the people of the United States were assured the right to fish on the Grand Banks, and in all other places where they formerly had been accustomed to fish. Within a few years, the tonnage engaged in the cod fishery was as great as before the Revolution.

The whale fishery was not so fortunate. The use of tallow candles was spreading, and the English market was closed to whale oil by prohibitive duties. Although the whaling fleets of Nantucket and New Bedford made notable voyages to the North and South Seas, their profits diminished and the industry did not regain its former prominence until a later period.

The restless activity of Massachusetts vessel owners and captains reached out into new parts of the world to seek profitable ventures. Barred from the British West Indies, they sought the markets of the nearby colonies of Holland, Spain and France, for the sale of surplus fish and lumber. Voyages to northern and southern Europe were resumed. More important than all was the beginning of commercial intercourse with China which later brought fame and wealth to the shipping of Salem and Boston. In 1785, Elias Hasket Derby despatched the *Grand Turk* to India and China; and in 1789, of fifteen American ships at Canton, five hailed from Salem.

Beginning of Banking (1781 – 1784)

During this period the economic organization of society was strengthened by the establishment of commercial banks. The earlier so-called banks, as the Land Bank and the Silver Bank of 1740, were simply public agencies to provide a circulating medium in the form of paper money as a substitute for barter in commodities. The need of these had formerly been urged by the farming communities who found it difficult

to carry on trade without a currency. No lack of paper-money currency was experienced in the years of the Revolution; but, with expanding business activity, merchants and manufacturers were often in need of temporary credit, because of the seasonal character of business.

In 1784, the Massachusetts Bank was established in Boston, the second bank to be organized in the new nation. The first institution was the Bank of North America, organized in Philadelphia, and also chartered in Massachusetts in 1782 and a branch established in Boston. The Bank of North America was primarily organized to aid the government in financing its precarious needs. The Massachusetts Bank was promoted to aid business. Its capital was $300,000, subscribed for by the substantial business men of Boston. The shares were placed at $500 each, thus enlisting in the investment of capital only the richer citizens of the community.

Methods of Banking Business

The details of this early organization throw light upon current business habits and activities. Five officers were employed: cashier, accountant, teller, sub-teller, and porter or waiter, on salaries ranging from $1,000 to $200 and lodging. A "manufactory" near the Common was purchased for $4,000 and remodeled, a special committee of the directors being appointed to prepare a vault. This was secured by two locks and keys, one of which was kept by the cashier, and the other by the president. A "middling sized" bell was also hung to be used in case of fire or attempted robbery; and one of the directors was asked to request a friend in Russia to purchase an iron fence to be placed in front of the bank.

The accountant was authorized to go to Philadelphia to acquaint himself with the system of bookkeeping used by the Bank of North America.

The bank was opened daily from 9 A. M. to 1 P. M. and from 3 P. M. to 5 P. M. Five directors met twice a week to consider applications for loans. The smallest loan was limited to $100 and the maximum to $3,000. A loan might be granted upon a single name if secured by deposited collateral, either in the form of merchandise or securities; or it might be made upon personal credit of two persons of "ample

property." If the former, the loan might run for 60 days; if the latter, only for 30 days. The rate of interest was uniformly six per cent.

The passing on an application for a loan was as formal as an election to a learned society. A ballot box with a hole in the top, and white and black balls were used; and a single black ball negatived the decision. Renewals were frowned upon, but it was difficult to enforce prompt payment. Promptness in meeting financial obligations had not yet become a habit, and insistence by a bank was regarded as a hardship. Finally the directors voted that delinquents be informed that, if they did not pay their notes when due, their names would be posted "in the most conspicuous place in the Bank," and that henceforth they would be denied credit for from four to eight months, according as they were endorsers or signers of the notes.

Frequently the loaning power of the bank was exhausted, and public notice was given that no applications would be received during that week; or that, if the full amount of loans desired could not be granted, all would be scaled down a quarter or one half. In this way no favoritism was shown. At first the depositors were few; the receiving of deposits was regarded as a favor to the depositor rather than a source of profit to the bank, and a charge of ten pence was made on each $100 deposited. After a few years this charge was abandoned, as deposits and the use of checks became more common.

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CHAPTER XIII

MASSACHUSETTS AND THE FEDERAL CONSTITUTION OF 1787

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Need for a More Perfect Union (1783 – 1787)

The Commonwealth of Massachusetts was one of the leaders in the movement to form a more perfect Union. It was driven into this movement partly by causes which operated upon all the States alike, and partly by causes peculiar to itself or to the North-Eastern States which shared its special interests.

The general causes of dissatisfaction with the Union under the Articles of Confederation are well known. Washington, when about to resign the command of the Continental Army in 1783, addressed a circular letter to the governors of the States, which may perhaps be best described as his first Farewell Address. He himself referred to it as his "legacy" to his country. Without dwelling overmuch upon the defects of the existing government, he set forth four things which he declared to be "essential to the well-being, I may venture to say, to the existence of the United States, as an independent power." They were: first, an indissoluble union of the States under one federal head; secondly, a sacred regard to public justice; thirdly, a proper peace establishment; and fourthly, a pacific and friendly disposition among the people of the United States.

Washington warned his fellow countrymen in the most solemn manner against the dire consequences of continued failure to maintain the authority of the general government, to pay the debt incurred in the war, to provide for the common defense, and to put the general welfare above private and local interests. During the next six years, which John Fiske aptly termed "the critical period of American history," Wash-

ington returned again and again in his correspondence to the need for a more perfect Union. Writing to John Jay, August 1, 1786, he declared: "I do not conceive we can exist long as a nation without having lodged somewhere a power, which will pervade the whole Union in as energetic a manner as the authority of the State governments extends over the special States." The evils which moved Washington to such profound discontent were universal—they were felt no less keenly in Massachusetts than in Virginia.

Special Interests of Massachusetts

Massachusetts, however, had special reasons for desiring a more perfect Union. In the first place, her shipowners wanted a navigation act that would secure for American vessels the coastwise carrying trade among the several states, and in addition as much of the international carrying trade as possible. As the leading ship-owning State, Massachusetts had the most to gain from the adoption of a national navigation act. If the regulation of navigation were left permanently to the States, there was grave danger that Massachusetts shipping would be worse off than under British rule before the Revolution. Yet no satisfactory navigation act could be passed without a better organized and more powerful general government.

Secondly, Massachusetts merchants wanted a general government capable of regulating commerce with foreign nations and among the several States. The power to regulate interstate commerce was necessary to keep the home market throughout the Union open to domestic producers; and Massachusetts already was looking forward to the development of her local industries. The power to regulate foreign commerce was necessary to obtain favorable commercial treaties with foreign countries; and the prosperity of the fisheries and of the lumber and wood-working industries, as well as that of the carrying-trade, was largely dependent upon the development of foreign commerce.

Moreover, the commercial and professional classes generally throughout the State had lost confidence in their ability to defend themselves without outside aid against threatening

agrarian legislation, especially laws to make paper money a legal tender in payment of debts and other measures tending to impair the obligation of contracts. A letter to Washington from Henry Knox, written at the time of Shays's Rebellion, clearly reveals what a menace the agrarian movement must have seemed to all those who had much at stake in the maintenance of law and order. "Their creed," Knox wrote (referring to the rebels), "is, that the property of the United States has been protected from the confiscation of Britain by the joint exertions of all; and therefore ought to be the common property of all; and he that attempts opposition to this creed is an enemy to equity and justice, and ought to be swept from off the face of the earth." Such "desperate and unprincipled men" were to be found in Rhode Island, Connecticut, and New Hampshire, as well as in Massachusetts; and their reckless talk and lawless action threw the comparatively prosperous folk, with whom General Knox was associated, into a veritable panic. Some of the latter were guilty of equally reckless talk about the failure of self-government and the necessity of a monarchy. Most of them were ready to make concessions for the sake of a stronger general government, which would have seemed preposterous not long before.

To General Knox, Washington replied with his traditional composure and moderation. "It has been supposed," he wrote, "that the constitution of the State of Massachusetts was amongst the most energetic in the Union. May not these disorders then be ascribed to an indulgent exercise of the powers of administration? . . . . . The same causes would produce similar effects in any form of government, if the powers of it are not exercised." Agitation for a monarchy was checked in Massachusetts by a display of that energy which Washington recommended. Governor Bowdoin, when the issue of defense against anarchy could no longer be evaded, put his powers of administration to the test, and a judicious mixture of firmness and tact speedily restored the peace. Nevertheless the rulers of Massachusetts remained eager for the more perfect Union which their interests so plainly required.

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RUFUS KING

Agitation for a Constitutional Convention (1785 – 1787)

The necessity of a more perfect Union was recognized even before the Articles of Confederation went into effect; and by none more clearly than by members of the Congress itself. The propriety of organizing a special convention for the purpose, instead of proceeding in the manner provided in the Articles for their amendment, was more slowly admitted.

The first official suggestion that the Congress call a constitutional convention to revise the Confederation seems to have come from the legislature of New York. This action was taken in the summer of 1782 on the motion of General Schuyler, then a member of the State Senate. In the following spring Schuyler's son-in-law, Alexander Hamilton, then a member of the Congress, announced that he would propose a plan for a federal convention, but nothing more was heard of this project. The next State to move was Massachusetts.

In 1785 James Bowdoin was elected governor, and in his inaugural address, having pointed out the impotence of the Congress to protect the interests of American commerce, suggested the calling of a federal convention with power to propose amendments to the existing Articles of Confederation. The legislature endorsed this proposal, directing their delegates in the Congress to bring it to the attention of their fellow members and to make every effort to secure its adoption. But the delegates, Elbridge Gerry, Samuel Holten, and Rufus King, thought the time not ripe for such an enterprise, and refused to carry out the instructions of the legislature. "The cry for more power in Congress," they declared, "comes especially from those whose views are extended to an aristocracy that will afford lucrative employments, civil and military, and require a standing army, pensioners, and placemen. The present Confederation is preferable to the risk of general dissensions and animosities."

In vain Governor Bowdoin replied that "if in the Union discordant principles make it hazardous to trust Congress with powers necessary to its well-being, the Union can not long subsist." Gerry and King rejoined that no federal convention should be entrusted with power to report a new plan of government for the Union or even to make a general revision of

the Articles of Confederation. If such a convention were deemed necessary, it should be confined, in their judgment, to the revision of such parts of the existing Articles as were supposed to be most defective. There the matter was permitted to rest, and Massachusetts lost the opportunity to lead the way towards the more perfect Union.

In the following year (1786) Virginia assumed the leadership of the movement for a new constitution and called the convention which met at Annapolis in September. Nine states, including Massachusetts, appointed commissioners to take part in this convention, but the delegations from Massachusetts and three other states failed to attend. The other five delegations joined in issuing a call for a second convention, to be held in Philadelphia on the second Monday in May, 1787, for the purpose of making a general revision of the existing system of government.

Meanwhile, the Congress could not ignore what was in effect a usurpation of its own authority. February 21, 1787, it adopted a resolution endorsing the proposed convention, "for the sole and express purpose of revising the Articles of Confederation and reporting to Congress and the several legislatures such alterations and provisions therein as shall when agreed to in Congress and confirmed by the States render the federal constitution adequate to the exigencies of government and the preservation of the Union." This resolution was presented by the delegates from Massachusetts, Rufus King and Nathan Dane. The recent rebellion in that State had produced a decided change in the attitude of its delegates toward a federal convention. Throughout the Union, opinion had been similarly accelerated; and when the day fixed for the first meeting of the Convention arrived, delegations had been appointed in eleven States. New Hampshire delayed the selection of her delegates so that they did not reach Philadelphia until midsummer. Rhode Island alone out of the Old Thirteen failed to send any delegation.

The Massachusetts Delegation (1787)

The Massachusetts delegation consisted of five members: Francis Dana, Elbridge Gerry, Nathaniel Gorham, Rufus King, and Caleb Strong, any three of whom were empowered to

represent the Commonwealth in the Philadelphia Convention. One of the five, Dana, then a member of the Supreme Judicial Court and afterwards for many years its chief justice, did not attend the Convention. The other four delegates proceeded to Philadelphia and took an active part in its deliberations. Three of them remained until the end, and two signed the finished Constitution. Strong went home the latter part of August, and Gerry, though present on the last day (September 17th), refused to sign. Only Gorham and King obtained that unique immortality enjoyed by those whose names adorn the most precious constitutional document in American history.

The Massachusetts delegates were not the most eminent Massachusetts statesmen of the time. John Adams was the man whose work in the convention which framed the State constitution and whose writings on the science of government marked him as the most competent man in the Commonwealth for service in a national constitutional convention. But that "colossus of independence" was in Europe on a diplomatic mission. His knowledge of political philosophy, his courage and general sturdiness of character, his towering strength in debate, were irreplaceable. John Hancock and Sam Adams would have brought to the delegation the matchless prestige of their great names and also their surpassing skill in the art of politics; but the famous "first signer" of the Declaration of Independence and the "father of the town meeting" did not care for such a mission at that time. Governor Bowdoin had demonstrated under trying circumstances a steadfastness of purpose and a practical sagacity that would have brought him a position of leadership at Philadelphia, but he could not desert his post at Boston. Hence lesser men were chosen to represent the leading State of New England in the "assembly of demi-gods," as Jefferson described it, which was to frame the "new roof" for the people of the United States.

If not demi-gods, the Massachusetts delegates were by no means unqualified for their task. All were men of good education and successful in their private affairs. Gorham, the oldest of the four, was born in Charlestown in 1738 and received a classical education designed to fit him for Harvard. Instead of proceeding to the University, he entered business

and became a leading merchant in his native town. The other three were all Harvard graduates; Gerry (born at Marblehead in 1744) in the class of 1762; Strong (born at Northampton in 1745) in the class of 1764; and King (born at Scarborough, Maine, in 1755) in the class of 1777. Gerry, like Gorham, was a successful merchant; Strong was a leading lawyer; and King, though still a young man, had already given clear evidence that he had a brilliant career before him.

All four delegates had gained solid experience in practical politics. Each of them had served in the General Court or the Provincial Congress, or in both. Gorham and Strong had also served in the convention which framed the state constitution. Gerry had served in the Continental Congress, having been one of the signers of the Declaration of Independence and also of the Articles of Confederation. He had subsequently served in the Congress of the United States under the Articles. Gorham and King had likewise served in the Congress of the United States, the former having been president of that body during the preceding year. This, of course, was the highest political office in the land. Strong had had no previous connection with the federal government, but his service in the State government had included terms in the Senate and Executive Council as well as in the popular branch of the General Court. The delegation as a whole combined a thorough understanding of conditions in their State with a high degree of proficiency in the business of legislative bodies.

The Delegates in the Convention (1787)

At Philadelphia the Massachusetts delegates were attentive to the work of the Convention and diligent in the performance of their duties. Gerry and King were the most active in debate, and were surpassed in this kind of activity by not more than six or eight other members. Gorham spoke less frequently; Strong, scarcely at all. Since most of the discussion on the floor of the Convention was carried on by about a dozen of the members, in addition to Gerry, King, and Gorham, it is evident that Massachusetts contributed its share to the flow of debate. But speech-making is not the only test of efficiency in the work of deliberative bodies. Committee-service, and other activities behind the scenes may be much

more important. The Federal Convention like most other such bodies did its best work in committees.

Massachusetts, as befitted one of the greatest states in the Union, was represented on all the important committees. Gorham was chosen chairman of the Committee of the Whole, in which during the greater part of the month of June the Convention considered the various plans which were submitted to it. This was the highest honor in the gift of the Convention next to the presidency, which was conferred upon Washington, and attests the respect which the Convention entertained both for Massachusetts and for her ranking delegate. Gorham was also a member of the very important Committee of Detail, to which was confided the task of putting together the first official draft of the new Constitution. "Few men," declared the worthy gentleman who pronounced the formal eulogy upon Gorham following his death nine years later, "were more perfect in the art of rendering themselves agreeable to public bodies." In the Federal Convention, the eulogy adds, "he was often useful in compromising difficulties, arising from the different interests of the States."

Gerry was a member and chairman of the Grand Committee, consisting of one delegate from each State, which was appointed at the crisis of the Convention for the purpose of compromising the differences between the large and the small States. He took a leading part in the adjustment of those differences, and was one of the four or five delegates to whom the greatest of the compromises must be credited. King was a member of the Committee of Style and Arrangement, to which was entrusted the task of preparing the final draft of the finished Constitution. Strong was the only member of the delegation who failed to take a prominent part in the work of the Convention committees.

Nevertheless, although the Massachusetts delegation was active and influential, it was surpassed in both activity and influence by more than one of the other delegations. Gorham may have been chairman of the Committee of the Whole, but the Massachusetts delegates had little part in the preparation of the plans for a new government which were considered by that committee. The plan which became the basis of the finished Constitution, as is well known, was prepared by

the Virginia delegation; and the only other plan which was seriously considered was prepared by a conference of delegates, in which those from New Jersey and certain other of the smaller States took the leading parts. Gerry may have been chairman of the Grand Committee, which worked out the great compromise, but the leadership of the compromisers on the part of the representatives of the large States was taken by Benjamin Franklin and the heaviest work was done by the delegates from Connecticut. Gorham served, to be sure, on the very important Committee of Detail, but his associates were John Rutledge, chairman, Oliver Ellsworth, Edmund Randolph, and James Wilson. These were all men whom history has pronounced of greater distinction. The appointment of King to the Committee of Style and Arrangement was a mark of signal confidence, but even his great talents shone dimly in a body of which Dr. Johnson of Connecticut, the most cultivated member of the Convention, was chairman, and Alexander Hamilton, James Madison, and Gouverneur Morris were members.

The conclusion must be that each of the great sections of the country sent at least one delegation as strong as, if not stronger than, that of Massachusetts. In prestige and in actual political capacity the strongest delegation was that from Virginia, and second place must be awarded to the Pennsylvania delegation. There were no other delegations from the Middle States and Upper South to be compared with these, though individuals like John Dickinson of Delaware and Alexander Hamilton of New York were conspicuous. From the Lower South came a strong South Carolina delegation, and even in New England the primacy of Massachusetts was challenged by Connecticut which sent its ablest representatives.

Private Interests of the Delegates (1787)

The Massachusetts delegation, whatever may be thought of its general prestige and political capacity, was well chosen to represent the special interests which in that state had taken the lead in the campaign for a more perfect Union. Gorham and Gerry were successful merchants, and King was the son of a very successful business man, who had become the largest shipper of lumber from what is now the State of

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NATHANIEL GORHAM

Maine. Strong had a lucrative law practice and commanded the confidence of the more prosperous classes throughout the State, as his subsequent career demonstrated. The researches of Charles A. Beard show that all four possessed substantial investments, more or less speculative in character, which would be favorably affected by the establishment of a stronger general government. The records of the Treasury Department reveal that no less than forty of the fifty-five delegates who attended the Convention were creditors of the Government. Among those heavily interested in the public debt (taking the sum of $5000 as the criterion), Beard names twenty-four, including all four of the Massachusetts delegates. At least fourteen delegates were speculating in lands, which might well be expected to rise in value, if a stronger general government were created. Among these were Gerry and Gorham. At last twenty-four delegates had substantial sums of money out at interest, among whom Beard names King of Massachusetts. Gerry, Gorham, and King were among the dozen of delegates who were personally interested in manufacturing or mercantile pursuits or in shipping. It is not conclusive to argue that these men were actuated mainly by their personal interests in their efforts to form a more perfect Union. It is enough to know that they were competent representatives of the class of people in Massachusetts who were most eager for the revision of the Articles of Confederation, whether for the general reasons which influenced opinion in all parts of the country or for the special reasons which were most influential in Massachusetts.

State Economic Interests (1787)

The opponents of such a program as Washington's were too few to attempt the organization of any opposition party in the Convention. An overwhelming majority of the delegates were committed in advance to broad national measures. The delegates were much less united with respect to the use of the general government in advancing the special interests of their own section of the country. At the same time they feared the grant of powers which could be utilized to advance the interests of other sections at the expense of their own. Thus the economic basis of partisanship in the Convention

tended to produce a division of the delegations into groups corresponding to the division of the country into sections; and to make intersectional controversies concerning the powers of the Congress the dominant issues in the Convention.

Massachusetts, and to a lesser extent the rest of New England, wanted a strong and vigorous general government with wide authority over interstate and foreign commerce, and broad powers of taxation. This policy was clearly in accord with New England interests. The Middle States shared this viewpoint, being also engaged to some extent in the carrying trade; but they were not engaged in the fisheries, like the Eastern States, and were much more interested in the export of domestic produce, especially grain and flour. Hence their policy toward the grant of additional powers to the Congress was not so clearly indicated as was that of Massachusetts. The staple of the Upper South, tobacco, called for a radically different policy. Navigation acts, such as Massachusetts desired, could only bring new embarrassments to the tobacco planters, while the power to tax exports, if used to raise all the revenue the tobacco traffic would bear, might shift the entire burden of taxation to their shoulders.

The Lower South was bound by its interest in the export of rice and indigo to make common cause with Old Virginia and her neighbors in opposition to navigation acts and taxes on exports; but was separated from the Upper South by its supposed dependence on fresh supplies of cheap labor, which under the existing circumstances meant the importation of slaves. Virginia already had more slaves than she wanted, and might expect a better home market for her superfluous blacks, if the slave-trade were prohibited. Thus there were bound to be at least four distinct groups in the Convention, with four different points of view concerning the enlargement of the powers of the Congress. This was the fundamental basis of the internal politics and combinations of the Convention.

The Nationalistic Group of Delegates

The second principal basis of controversy in the Convention was political rather than economic. It related to the form of the general government rather than to the extent of its

powers. The two subjects, however, cannot be wholly separated. Those who favored extensive powers for the general government ordinarily favored also a form of government designed to bear the stresses and strains to which it would inevitably be subjected by the exercise of such powers. That meant a firm political structure with well-developed organs. Such a form of government might also be favored by those with the best expectations of controlling it, once it were constructed and set in operation. That included the political leaders from the largest states or from the states with the brightest hopes of future greatness.

These various considerations tended to produce an alignment of the large states and most rapidly growing states against the smaller states and those with inferior prospects of future growth.

A "high-toned government," as it was sometimes called, would also be favored by men of imagination and ambition, regardless of the state they came from, as best suited to the honor and dignity, as well as to the interests, of a free and independent people with a brilliant career before them. Such delegates would wish to construct a government capable of doing what Washington had advocated in his letter to Jay, August, 1786; that is, of maintaining its authority throughout the Union "in as energetic a manner as the authority of the State governments extends over the several States." This meant a government deriving its powers directly from the people of the Union, and operating directly upon them, with out any dependence on the governments of the States. The advocates of such a government may best be described as Nationalists. Their most conspicuous leaders were Washington and Franklin; and their chief strength lay in the Virginia and Pennsylvania delegations. They gathered round them, however, several of the brilliant young men whose talents graced the debates more perhaps than they influenced the counsels of the Convention. Noteworthy among these brilliant young men were Alexander Hamilton, Charles Pinckney of South Carolina, and King of Massachusetts. The views of the latter had expanded rapidly, once he committed himself to the compaign for a more perfect Union.

The Confederate Group

At the opposite pole from the Nationalists were those who wished to make as little change as possible in the existing government under the Articles of Confederation. These delegates wished to follow strictly the terms of the resolution adopted by the Congress, and looked upon the plans of the Nationalists as unconstitutional and indeed revolutionary. They believed the Convention had no right to do more than report amendments to the Articles of Confederation for consideration by the Congress and the State legislatures. The adherents of this policy may best be described as Confederates, though that word was not heard in the Convention. Among them were the majority of the delegates from New York, New Jersey and Delaware. In the first stage of the Convention's proceedings the ablest and most influential member of this group was Roger Sherman of Connecticut; but he presently modified his opinions. In the later stages of the Convention Luther Martin of Maryland was the most conspicuous of the addicts to the Confederation. Of the others, some, like Yates and Lansing of New York, left the Convention when they found they were in a hopeless minority. The rest for the most part yielded eventually to the opinion of the majority or remained silent. None of the Massachusetts delegates belonged to this group.

The Federal Group

A third group of delegates occupied an intermediate position between the Nationalists and the Confederates. Like the members of the first group, these delegates desired a firm political structure with well-developed organs of government. They could not rest content with any mere revision of the Articles of Confederation. Like the Confederates, however, they wished to preserve a respectable position in the new Union for the separate States. They could not support a program designed to render the general government wholly independent of the State governments, and likely to reduce the latter to a manifestly subordinate position. For this group the term Federalist is most appropriate. To it the majority of the Massachusetts delegation belonged. Gerry

and Gorham were among its most active members; and Strong, while less active, proved one of the most steadfast adherents of the moderate policy which this group favored. Other delegations which furnished active and influential support for the Federalist program were those from Connecticut and South Carolina. At the outset, however, the most prominent member of this group was John Dickinson of Delaware.

The influence of the Federalists in the earlier stages of the Convention was greatly impaired by their division into two further groups. One of these, consisting of delegates from the larger states, notably Massachusetts and South Carolina, was resolved to put an end to the equal representation of the states in the Congress. The other, in which the Connecticut delegation eventually played the leading part, insisted that the states should retain an equal voice in at least one branch of the national legislature. The effect of these dissensions was to create four factions in the Convention with respect to the principal political issues that were destined to arise,—Nationalists, large-state Federalists, small-state Federalists, and Confederates. Since these four factions had no relation to the four factions which grew out of the conflicting economic interests of the principal sections into which the country was divided, the politics of the Convention became exceedingly complicated.

Fortunately no organized national parties existed in the country at large which could commit a substantial portion of the delegates to any particular program before the Convention met. The secrecy of the debates in the Convention and the lack of any official record of remarks by which changes of opinion could be subsequently made public to the disadvantage of the more conciliatory members, contributed to the candid interchange of views and to the eventual adjustment of differences. Thus the course of the proceedings was favorable to the acceptance of compromises and tended to reduce the evils of partisanship and faction to a minimum. The conditions encouraged individual leadership and genuine deliberation. Yet all the great moral influence of a Washington and skilful diplomacy of a Franklin were needed to bring the Convention to a successful close.

Four Periods in the Convention (1787)

The general course of the proceedings in the Federal Convention is well known and need not be related here. The special part played by the delegates from Massachusetts is less familiar and deserves more particular examination.

The proceedings of the Convention fall into four distinct periods. The first, which extended to about the middle of June, was the period of Nationalist supremacy. It began with the framing of the Nationalist plan for a more perfect Union by the Virginia delegation, and concluded with the adoption of that plan by the Convention sitting as a Committee of the Whole. During this period the Massachusetts delegation played a subordinate, but by no means negligible, part. It accepted the leadership of the Virginia delegation, but it made at least one independent contribution of supreme importance in the development of the American system of constitutional government.

The second period, which ended about the middle of July, was characterized by the triumph of Federalism over Nationalism. First, the Confederates under the leadership of New Jersey, then the small-state Federalists under Connecticut leadership, rallied the opposition to the dominant Nationalists. Eventually the latter lost control of the Convention through the defection of a part of the large-state Federalists. Among these were two of the Massachusetts delegates. The Nationalist leaders were forced to choose between yielding to the Federalists and breaking up the Convention. They reluctantly chose the former course. The split in the Massachusetts delegation, by weakening the authority of one of the leading large States, contributed not a little to the ultimate discomfiture of the Nationalists. Thus, by accident rather than design, Massachusetts played an influential, though hardly a decisive, part in this stage of the proceedings.

The next period, extending to the end of August, was marked by the clash of sectional interests. In the heat of the struggle an alliance was formed between New England and the Lower South against the Upper South and the Middle States. Massachusetts and South Carolina challenged the leadership of Virginia and Pennsylvania as aggressively as New Jersey and Connecticut had challenged it in the previous

stage of the proceedings. With able support from Connecticut and New Hampshire (which had just made its belated appearance), the Massachusetts delegates procured adjustments of the sectional conflicts which brought all possible security to the special interests of the Northeastern States. This was the period of maximum influence for the Massachusetts delegation.

In the fourth period, which extended beyond the middle of September, the former Nationalists recovered the leadership of the Convention and endeavored to give the Federal Union as national a character as circumstances permitted. In this they were joined by most of the original Federalists, large-state men and small-state men alike, thus laying the foundation for the Federalist party which governed the new Union until the close of the century. But the Massachusetts delegation split again, and only two of its members—the same two who had fought against the great compromise to the last—finally signed the finished Constitution. One other had gone home before the Constitution was finished; one remained—the one who had been most eager for the great compromise—to register his final disapproval of what the Convention had done.

Period of Nationalist Supremacy (May – June, 1787)

Washington and Franklin are rightly credited with leading parts in the formation of the more perfect Union. The former had been a tower of strength in the campaign for a truly national government, throughout the critical period preceding the Philadelphia Convention. The latter, however, was the original Nationalist in American politics. His plan for a general government, submitted to the Continental Congress in July, 1775, furnished the basis for the first constitution of the United States, the so-called Articles of Confederation. Franklin had proposed a much more strongly articulated Union than that actually established under the Articles, and was known to favor a firmer structure formed on national principles. But advanced age and growing infirmities prevented him from playing a leading part in the Convention. Washington also preferred to leave the active management of the Nationalist cause to younger men. The chief draftsman of the Nationalist plan seems to have been James Madison, and

the principal leaders of the Nationalists on the floor of the Convention were Madison and James Wilson. The leadership could not have been in better hands.

Madison first sketched the Nationalist program in a letter to Jefferson, then in France, dated March 19, 1787. The foundation of the new system of government, he declared, should be laid "in such a ratification by the people themselves of the several States as will render it clearly paramount to their legislative authorities." Secondly, the national government should have not only full powers over all matters in which uniformity of action throughout the Union might be desirable, but also a veto upon State legislation "in all cases whatsoever." Thirdly, the States should be deprived of their equal voice in the Congress and the system of representation changed to correspond with the actual differences between the States. Fourthly, the powers to be conferred on the general government should be so distributed "as not to blend together those which ought to be exercised by different departments." This program was further elaborated in subsequent letters to General Washington and Governor Randolph. When the leading Virginia delegates reached Philadelphia, they must have had the outlines of such a program as Madison had sketched fairly well settled in their minds.

No States beside Virginia and Pennsylvania had anything like a full delegation on the ground at the time fixed for the opening of the Convention. While waiting for a quorum to appear, the Virginia delegation held daily meetings for the elaboration of its plan; and as other delegates arrived the leadership of Virginia among the Nationalists was firmly established. Noteworthy among the other delegates who were early on the ground and whose course in the Convention revealed their strong Nationalism were Alexander Hamilton and Charles Pinckney of South Carolina. The only Massachusetts delegate to make his appearance before the actual organization of the Convention on May 25 was King. That he was a party to the Virginia plan may well be imagined.

Meanwhile the progress of the Nationalist program was causing alarm. May 21, Read of Delaware wrote to his tardy colleague, John Dickinson, urging him to hurry to Philadelphia. "I am in possession of a copied draft," he declared,

of a plan "intended to be proposed, if something nearly similar shall not precede it. Some of its principal features are taken from the New York system of government." And he proceeded to describe a frame of government, consisting of a congress with two branches, one to represent the people of the States in proportion to their numbers, the other to represent, not the States, but four great districts into which the Union was to be divided. This novel scheme for an upper chamber was obviously designed to furnish a conservative balance against the more popular house. Read pointed out that such a plan would reduce Delaware to a position of little consequence. "I suspect it to be of importance to the small States," he concluded, "that their deputies should keep a strict watch upon the movements and propositions from the larger States, who will probably combine to swallow up the smaller ones...."

The Virginia Plan (1787)

Immediately upon the organization of the Convention, the Virginia plan was introduced by Governor Randolph in the form of fifteen resolutions. May 30 the Convention went into Committee of the Whole for the consideration of the plan. The resolutions remained under discussion until June 13, when the Committee was ready to rise and report a plan for a new constitution in almost the very form in which it had been originally introduced by the Virginia delegation. It seemed a great triumph for the Nationalists.

During the deliberations of the Committee of the Whole the Massachusetts delegation cooperated with the Nationalists, its members being generally united in their support of the Virginia plan. Gerry, however, dissented occasionally in matters of detail. His course sometimes seemed erratic. When the election of members of the popular branch of the national legislature was under consideration, he opposed their election directly by the people. "The evils we experience," he declared, according to Madison's notes on the debates, "flow from the excess of democracy. The people do not want virtue, but are the dupes of pretended patriots." He added that he had been too republican before, and, although he was still a republican, he had learned by experience the danger

of the levelling spirit. The majority of the Massachusetts delegation, however, favored popular elections.

Again a few days later, when the provision for a popular ratification of the proposed Articles of Union instead of ratification by the State legislatures, as under the existing Articles of Confederation, was under consideration, Gerry spoke against it. The people of Massachusetts, he said, "have at this time the wildest ideas of government in the world."

When the provision for a three-year term for representatives was under consideration, however, Gerry came out strongly for annual elections. "The people of New England," he declared, "will never give up the point of annual elections." He considered annual elections the chief defense of the people against tyranny. On this point the Massachusetts delegation deserted the Nationalists, who generally favored long terms for members of the national legislature. King was the only Massachusetts delegate who favored triennial elections for the popular branch. In general King was the most effective member of the Massachusetts delegation at this stage of the Convention's proceedings, Gorham being in the chair and Strong consistently silent.

Changes in the Virginia Plan (1787)

The general success of the Nationalists with the Virginia plan at this stage of the Convention was marred by two defeats. One was in the matter of the election of members of the second branch of the national legislature. When the resolution, as originally introduced by Randolph, providing that the members of the second branch be elected by the first branch out of persons nominated by the State legislatures, came up for discussion, Dickinson of Delaware, seconded by Sherman of Connecticut, moved that it be amended to provide for election directly by the State legislatures. This amendment was strongly opposed by the Nationalist leaders, especially Madison and Wilson, who saw that its adoption would open the door to a further amendment which would be most damaging to their plan, namely, the equal representation of the States in the second branch. Gerry favored the amendment, arguing that the election of the second branch by the State legislatures would be likely to provide a check in favor

of the commercial interest against the landed, without which, he thought, oppression would take place.

"The people have two great interests," he declared, "the landed interest, and the commercial, including stock-holders. To draw both branches from the people will leave no security to the latter interest; the people being chiefly composed of the landed interest, and erroneously supposing that the other interests are adverse to it." He believed that the commercial interests would have greater influence with the legislatures than with the people. Without some means of protecting the commercial interests against oppression by the landed interests, he feared that no free government could last long. Dickinson's motion, despite the opposition of the Nationalist leaders, was carried by a unanimous vote of all the States. Gerry would have liked to proceed further in establishing the dependence of the national government upon the State governments, and actually proposed that the national executive should be elected by the State executives. But in this move he received no support.

The other defeat inflicted upon the Nationalists at this stage of the proceedings came in the matter of arming the national legislature with a veto over State legislation. Madison had originally suggested that the veto should apply "in all cases whatsoever" and be exercised by the national government according to its discretion; but the Virginia delegation had deemed it prudent to propose merely that the national legislature should negative such laws of the States as might be contrary to the Articles of Union or to treaties with foreign nations. This was accepted by the Committee of the Whole, but when Charles Pinckney moved to amend by giving the national legislature authority to negative all State laws which they should judge to be improper, he encountered strong opposition from many of the Federalist members of the Convention. Gerry argued against it, suggesting that the national legislature might well have a power to negative State laws sanctioning the issue of paper money and similar measures, but that it would never do to authorize the national government to intervene in State affairs without limit. The States, he declared, "have different interests and are ignorant of each other's interests. The negative therefore

will be abused." Though Madison and Wilson supported Pinckney's motion as best they could, they could carry only three States, Virginia, Pennsylvania, and, despite Gerry's opposition, Massachusetts. It was evident that the thoroughgoing Nationalists constituted only a small minority of the Convention and, outside the three largest States, commanded only scattering support.

Another important alteration in the Virginia plan, which was made at this stage in the proceedings, related to the proposed Council of Revision. The plan, as originally presented by Randolph, provided that the executive and a convenient number of the national judiciary should compose a council for the purpose of revising the acts of the national legislature, and that acts which should fail to receive the approval of this council should not take effect unless reenacted by something more than an ordinary majority of the legislature. Gerry objected to the inclusion of judges with the executive in the exercise of the veto power over legislation, urging that the judges "will have a sufficient check against encroachments on their department by their exposition of the laws, which involves a power of deciding on their constitutionality." He added that "in some States the judges had actually set aside laws as being against the Constitution." He proposed that the veto power be vested in the executive alone, as was done in Massachusetts. King seconded Gerry, pointing out that "the judges ought to be able to expound the law as it should come before them, free from the bias of having participated in its formation." The Massachusetts plan of separate executive and judicial review of legislation was stoutly opposed by Madison and Wilson, but was eventually adopted by the Convention. This alteration in the Virginia plan made possible the subsequent development of the executive veto by Andrew Jackson and of the judicial veto by John Marshall. It introduced the best check in the American system of separation of powers. It was the most important contribution which Massachusetts made to the new frame of government.

The New Jersey Plan (June, 1787)

The second period in the framing of the Federal Constitution began June 14 when the Convention, instead of receiving

the report of the Committee of the Whole, adjourned at the request of Paterson of New Jersey, in order to give those opposed to the Nationalist program an opportunity to bring in a plan of their own. The following day the so-called New Jersey plan was introduced as a substitute for that of Virginia. It was a plan embodying the ideas of the Confederates, with whom the small-state Federalists joined in order to defeat the Nationalists.

The New Jersey plan contemplated a revision of the Articles of Confederation by conferring some additional powers upon the Congress, and by creating a permanent executive council (to be elected by the Congress) and a permanent Supreme Court. But the Congress was to vote by States, as before, provided that in important matters an exceptional majority of the "Confederated States" should be requisite. The introduction of this plan precipitated a great debate, in which the Massachusetts delegates took little part. Lansing of New York opened the case for the Confederates, arguing that the Convention had no right to consider such a plan as that of the Nationalists, since their powers extended only to a revision of the existing Articles of Confederation; he was sure that, if they should adopt such a plan, the people would certainly reject it. Madison, Wilson, and Hamilton replied for the Nationalists. The latter took the opportunity to present his own plan, proposing a consolidated general government under which the States would be reduced to the position of mere provinces. There was no open support for such extreme centralization except by Read of Delaware, who believed that, if the small States were to be gobbled up, the large States should be gobbled up also. Finally, June 19, the Confederate plan was laid aside, and on motion of Rufus King the committee rose and reported the Virginia plan to the Convention.

Triumph of the Federalists (June-July, 1787)

The leadership of the opposition to the dominant Nationalists then passed from New Jersey and New York to Connecticut, and a struggle began which ended a month later with the triumph of Federalism over Nationalism. The plan which ultimately prevailed through the efforts of the small-state wing

of the Federalists was first suggested in the Convention, June 2, by John Dickinson. "The American Farmer," as Dickinson is best known in history, was one of the most eminent Revolutionary statesmen. He had been chairman of the committee in the Continental Congress which framed the Articles of Confederation, and president of the Annapolis Convention which issued the call for the Constitutional Convention of 1787. He had been governor of two States, Pennsylvania and Delaware. Despite his refusal to sign the Declaration of Independence, when he had the opportunity to be a signer, he brought to the Convention a high reputation for political sagacity and a prestige in which he was surpassed by few of its members. He had come to believe in a strong general government, but he considered the preservation of the State governments in a vigorous condition an essential of political stability. Observing that some of the delegates seemed desirous of abolishing the States altogether, he declared the "accidental lucky division of this country into distinct States" to be one of the principal safeguards against the development of tyranny. Referring to the differences concerning representation in the national legislature, he believed they must probably end in mutual concessions, and expressed the hope that each State would retain its equal voice in at least one of the branches of the proposed bicameral Congress. Dickinson's suggestion was taken up by the Connecticut delegation and offered as an amendment to the Virginia plan, June 11, but was voted down, six States against five. Now the Connecticut delegates brought the Dickinson proposal forward again, and insisted that it was necessary, in order to secure for the States a proper place in the new system. Roger Sherman and Oliver Ellsworth assumed the leadership of the Federalist opposition; and by the end of June the Convention had come practically to a standstill.

The Great Compromise (July, 1787)

Franklin was the first to come forward on the Nationalist side with an offer to compromise. While his first proposals were not acceptable, they opened the way for the appointment of a Grand Committee to find a formula for an agreement. This committee reported a scheme, which became the

basis of the arrangement finally adopted. The States were to have an equal voice in the Senate; but all money bills were to originate in the House and were not to be amended in the Senate. This proposal was far from satisfactory to most of the delegates who had supported the Nationalist program. Many of them would have preferred to vest special powers with respect to money bills in the Senate rather than in the House, since they had hoped to make the Senate the bulwark of the interests of property. Others believed the concession would have little practical value, since the Senate would be able to force amendments in money bills by rejecting them until altered according to its wishes by the House. Eventually the provision concerning money bills was modified so as to lose most of its significance. Meanwhile (July 16), the important part of the "Great Compromise," as it has been called, the provision for equal representation of the States in the Senate, was finally adopted.

The Nationalists, for the most part, fought this great compromise stubbornly to the bitter end. The final vote was five States against four, the Massachusetts delegation being present but not voting on account of the split in its ranks. Besides the two Massachusetts delegates, the advocates of compromise won over a majority of the North Carolina delegation. The other delegations, which had supported the Nationalist program, remained of the same mind as before.

Subsequently another concession to the Nationalists, which apparently originated with Gerry, was incorporated in the "Great Compromise," namely, that each State should be represented by two Senators and that each Senator should have a separate vote. This made it somewhat less unpalatable to the larger States than in its original form, but it was still far from satisfactory. In short, the "Great Compromise" was no compromise at all, but a triumph for the Confederates and small-state Federalists, and a crushing defeat for those who had hitherto led the Convention.

On the morning of July 17 the opponents of the "Great Compromise" met before the opening of the Convention for the purpose, according to Madison's notes, "of consulting on

the proper steps to be taken in consequence of the vote in favor of an equal representation in the second branch, and the apparent inflexibility of the smaller States on that point." Some of them despaired of any useful result from the labors of the Convention and wished to quit, as the New York Confederates had already done; and try to form a more perfect Union composed in the first instance of the larger States and such smaller States as should care to join them. Others saw no prospect of reconstructing the Union by that method without war, and preferred to stick to the Convention. It is likely that Washington's influence was thrown in favor of the latter policy. Some at least of the younger Nationalists favored the more desperate plan. But no course of action could be agreed upon. So the Nationalists and their allies among the Federalists submitted, and the crisis was passed.

The division of opinion in the Massachusetts delegation, which contributed heavily to the defeat of the Nationalists, compelled its members to justify themselves. Gerry "was utterly against a partial confederacy" and advocated the compromise as the lesser of two evils. Strong seized the occasion to make his principal speech in the Convention. "If no accommodation takes place," he said, according to Madison's notes, "the Union itself must soon be dissolved. It has been suggested that if we cannot come to any general agreement, the principal States may form and recommend a scheme of government. But will the small States in that case ever accede to it? Is it probable that the large States themselves will under such circumstances embrace and ratify it?" He thought the small States had made a considerable concession in the matter of money bills, and that the compromise as a whole should be adopted. King, on the other hand, was decidedly of a different opinion. He preferred doing nothing, to giving the small States an equal voice in the Senate. "It would be better to submit to a little more confusion and convulsion than to submit to such an evil." Gorham thought a "rupture of the Union would be an event unhappy for all," but that "the large States would be least unable to take care of themselves and to make connections with one another."

The "Great Compromise" involved a lesser compromise with respect to the representation of the negro population. This

was settled without great difficulty by adopting the ratio already recommended by the Congress for the apportionment of taxes among the States.

The Massachusetts delegation took advantage of this discussion to propose that the number of representatives from the new States, which would be formed in the western territories, should be so limited as never to exceed the number from the original thirteen. Gerry, who seemed most concerned at the danger from the expected growth of the West, feared that the Westerners, if they acquired the power, would "like all men" abuse it. "They will oppress commerce," he declared, "and drain our wealth into the Western country." When Sherman pointed out that the western settlers would be their own children and grandchildren, Gerry replied that "there was a rage for emigration from the Eastern States to the Western country and he did not wish those remaining behind to be at the mercy of the emigrants. Besides foreigners are resorting to that country, and it is uncertain what turn things may take there." Gerry was supported by King, but his motion was rejected by the Convention, five States against four. The States south of the Potomac were solidly against the proposal, evidently expecting to gain more than they would lose by the expected emigration. And so the frontier was happily left to exert whatever influence in American politics its inhabitants might fairly claim.

Clash of Sectional Interests (July – August, 1787)

Acquiescence in the triumph of Federalism, as Federalism was understood in the smaller States, ended the second period in the history of the Convention. The jealousies between the large and small States were not entirely allayed, and controversies flared up from time to time; but in the main they were subordinated to the clash of interests between the different sections of the country. It was the struggle over the distribution of power between the Federal Government and the States, especially the power to tax and to regulate commerce, that chiefly animated the debates of the Convention during the third period.

From July 26 to August 6 the Convention adjourned, while the Committee of Detail prepared the first draft of the Con-

stitution in accordance with the resolutions already agreed upon by the Convention. The resolution concerning the powers of the Congress, as referred to the committee, provided that the Congress should have power to legislate in all cases for the general interests of the Union. This, however, was too vague and uncertain. It was necessary to give it more specific and precise meaning. The draft of the Constitution, as reported by the Committee, provided that the Congress should have power, among other things, to regulate commerce with foreign nations and among the several States. Several important limitations were placed upon this grant of power. In the first place, the Congress was to have no power to tax exports, while the States were to retain that power and also the further power to tax imports with the consent of the Congress. Secondly, the Congress was to have no power to prohibit the slave trade or even to tax the importation of slaves. Thirdly, the Congress was to have no power to pass a navigation act except by a two-thirds vote in each house.

In all sections strong opposition appeared to the report of the Committee of Detail, especially to these provisions concerning the tax and commerce powers. Massachusetts in particular was far from satisfied with an arrangement which made a navigation act dependent upon a two-thirds vote, and also crippled the power to regulate commerce by taxation. Further objection was made on humanitarian grounds to the continuance of the slave trade under the protection of the Constitution, and in the Middle States and Upper South there was even more objection to an unregulated slave trade.

The debate became almost as heated as that which had gone before on the equal voice of the States in the Senate. Gorham who, as a member of the Committee, bore the brunt of the discussion, when Massachusetts interests were concerned, remarked on one occasion that he desired it to be remembered that "the Eastern States have no motive to Union but a commercial one." They were able to protect themselves, he declared, without a Union. "They were not afraid of external danger, and did not need the aid of the Southern States." Again, when it was proposed that the Congress should not exercise the commerce power except by a two-thirds majority in each House, he reiterated this opinion, saying omi-

nously that, "if the Government is to be so fettered as to be unable to relieve the Eastern States, what motive can they have to join it and thereby tie their own hands from measures which they could otherwise take for themselves." He deprecated the consequences of disunion, according to Madison's report, but if it should take place, it was the southern part of the Continent that had the most reason to dread them. Continuing in a more conciliatory vein, he urged the improbability of a combination of the majority in the Congress against the Southern States, the different interests of the New England and Middle States being a security against it. Gorham at best was not sanguine concerning the future of the Union. On another occasion be put the question (manifestly expecting a negative answer): "Can it be supposed that this vast country, including the Western territory, will 150 years hence remain one nation?" But his ready allusion to the prospect of disunion, if the commerce power were too much fettered by limitations and restraints, reveals the intensity of the feeling which these sectional controversies provoked.

Massachusetts Interests Safeguarded (August, 1787)

The Convention did not accept the report of the Committee of Detail without important modifications of these provisions relating to the commerce and tax powers. The States, as well as the Federal Government, were forbidden to tax exports, and the power of the States to tax imports was restricted to such rates as would merely cover the expense of inspection. The prohibition on the power of the Congress to abolish the slave trade was restricted to a period of twenty years; and power to impose a limited tax on the importation of slaves was granted. The limitation on the power of the Congress to pass navigation acts was stricken out and unlimited power over that subject granted. The general grant of power to regulate commerce was left unchanged, despite a strong attempt by delegates from the tobacco and rice-growing States to add the requirement of a two-thirds majority for the adoption of commercial regulations. Thus the changes made by the Convention were all in the direction of enlarging the authority of the Federal Government over commerce and all in accord with the interests of Massachusetts.

The result would have been less favorable to New England but for an understanding that was effected between the New England delegates and the delegation from South Carolina. The latter were very eager to secure the protection of a more perfect Union, not only against foreign invasion but also against domestic insurrection. The great planters of the Lower South were especially anxious over the possibility of insurrections by their slaves. They also desired to keep the slave trade open as long as possible. Hence they were willing to give New England a better prospect of navigation acts and other favorable commercial regulations than were the tobacco growers of the Upper South or even the grain growers of the Middle States. General Pinckney on one occasion declared that it was the true interest of the Southern States to have no general regulation of commerce; but, he added, "considering the loss brought on the commerce of the Eastern States by the revolution, their liberal conduct towards the views of South Carolina, and the interest the weak Southern States had in being united with the strong Eastern States," he thought it proper that no fetters should be imposed on the power of making commercial regulations.

He believed that his constituents, "though prejudiced against the Eastern States," would be reconciled to this liberality. He had himself, he confessed, prejudices against the Eastern States before he came to the Convention, but would acknowledge that he had found their representatives "as liberal and candid as any men whatever." Madison, commenting on General Pinckney's reference to the liberality of the New Englanders, remarked that an understanding on the two subjects of navigation acts and the abolition of the slave trade had been arranged between New England and the Lower South, "which explains the action as well as the language of the gentleman from South Carolina."

Thus the second of the "great compromises" was arrived at, by which the two sections which were parties to this bargain made their interests prevail to a greater extent than would otherwise have been possible over those of the Middle States and Upper South. This time, the Nationalists did not have to bear the responsibility of the defeat. On the whole

the bargain between Massachusetts and South Carolina advanced rather than retarded the Nationalist program.

Revival of Nationalist Ascendancy (August–September, 1787)

On the last day of August the Convention entered upon the final stage in its proceedings by appointing a Grand Committee of eleven to consider all matters which had been postponed or not yet acted upon. The principal unfinished business relating to the frame of government was the organization of the executive department. Members were growing impatient and eager to end their work as quickly as possible. Yet more than a week passed before final agreement could be secured upon a plan for the election of a President and Vice-President, and for the distribution of the executive power between the President and the Senate. The principal difficulty related to the election of the President. It was desired to make him as independent as possible of the Congress and yet not so independent as to be likely to get out of all control. The plan finally adopted was supported by the majority of the Massachusetts delegates.

September 8, a Committee of Style and Arrangement was appointed, consisting of five members, to arrange the articles agreed upon and revise their style. Rufus King was the representative of Massachusetts on both these committees. Throughout the Convention he had been the most consistently nationalist member of the Massachusetts delegation, and his appointment to these important committees at this juncture reflected the growing influence of the nationalist point of view.

The leading issues in the last period of the Convention, besides the organization of the executive department, related to the mode of putting the new Constitution into effect and of amending it thereafter. The Nationalists were determined that the adoption of the Constitution should not be dependent upon the favor of the existing Congress, whose incapacity had made the Convention necessary; nor upon that of the existing state legislatures, which were to be reduced to a greatly inferior position by the proposed Constitution. Nor did they intend that a few recalcitrant States should have the

power to prevent the formation of the more perfect Union by declining to ratify the work of the Convention. They were convinced that the new Union would be more perfect than the old, even if not all the States should join it, provided it were formed upon the plan embodied in the new Constitution. Nevertheless, the remnants of the original Confederate party in the Convention, reenforced by certain others who were dissatisfied with the form the new Constitution was taking, insisted that the Convention had no right to put the new Constitution into effect except in the manner provided for the amendment of the existing form of government under the Articles of Confederation. Any other procedure they denounced as a revolutionary destruction of the existing Union. The controversy was further complicated by differences of opinion concerning the mode in which the new Constitution, if adopted, should be amended. The Nationalists wished the new Constitution to be easily amended, since they too were greatly disappointed in certain of its features; while their opponents desired to retain the existing rule which would prevent all changes except by unanimous consent.

In all these controversies the Nationalists had their way. It was settled that the new Constitution should be submitted to the Congress for reference to special ratifying conventions in the States; and that it should become effective when ratified by nine States. It was settled also that subsequent amendments should be effective when ratified by three fourths of the States which might compose the Union at the time.

Gerry's Opposition (September, 1787)

The majority of the Massachusetts delegation firmly supported the Nationalist program. Gerry, however, opposed it. Indeed, he became one of the principal leaders of the opposition at this stage of the proceedings. He declared that the Constitution should not go into effect without the positive approval of the existing Congress and also of all the existing States. He declared further that no amendments should be adopted without the unanimous consent of the States.

He succeeded in raising the requirement for the ratification of amendments from two thirds, as once adopted by the Convention, to three fourths of the States, but he failed to secure

acceptance of the rule of unanimity. He failed also to persuade the Convention that the adoption of the Constitution should be dependent in any way upon the consent of the existing Congress and State legislatures. He also failed in the opposition which he made to the provisions for a standing army, for Federal control of the State militia, and for appropriations for military purposes for periods as long as two years. He failed finally in his efforts to secure the addition of a bill of rights to the new Constitution, or at least of provisions which would give greater security to the liberty of the press and to the right of trial by jury in civil cases. This last failure occurred on September 15, on which occasion both of Gerry's remaining colleagues, Gorham and King, argued against him. And so he announced his refusal to sign the finished Constitution. Two days later thirty-nine of the forty-two delegates then present put their names to the precious document. Out of the number remaining in the Convention, besides Gerry, only Mason and Randolph of Virginia withheld their signatures.

Gerry's reasons for not signing the Constitution were stated by him in the Convention September 15, and again a month later in a letter to the Massachusetts legislature. On the former occasion he set forth eight specific objections, all of a minor character, which, however, he said he could overlook but for three other defects which seemed to him to render the rights of the people insecure. One was the general power of the Congress "to make what laws they may please to call necessary and proper." Another was the power to "raise armies and money without limit." The third was the power "to establish a tribunal without juries, which will be a Star-chamber as to civil cases." Holding these views, he declared in favor of calling a second general Convention.

In his letter to the Massachusetts legislature he omitted most of the minor objections, set forth in his statement to the Convention, and added some new ones. He particularly emphasized the lack of a bill of rights. The proposed Constitution, he declared, possessed few federal features and provided rather for a national system of government. He concluded, however, that "in many respects. . . . it has great merit,

and by proper amendments may be adapted to the 'exigencies of government and preservation of liberty.' "

And so the struggle for a more perfect Union was transferred from the Federal Convention to the state conventions, since neither the Congress nor the state legislatures ventured to insist on strict adherence to the letter of the Articles of Confederation. The Nationalists had been forced to sacrifice a portion of their program, but they had carried its essential parts. In order to do this, however, they had to surrender their Nationalism and become Federalists. In all this the Massachusetts delegation played an active and influential part. But by a strange perversity the delegate who contributed most to the final result was the one least satisfied with that result.

Struggle for Ratification (1787 – 1788)

Though Massachusetts was one of the first States to feel the need for the more perfect Union and one of those which contributed most to the actual framing of the new Constitution, it was also one in which the struggle for ratification was sharpest. The General Court met October 18 to consider whether the Constitution should be referred to a special convention. Governor Hancock opened the session with a noncommittal address; and on the 25th the call was issued for a convention to meet the following January (1788).

On the appointed day 364 delegates from 318 towns appeared; 46 towns (mostly in the District of Maine) sent no delegates. Immediately it was apparent that the Convention was closely divided between the friends and foes of the Constitution, and that ratification could not be obtained without a severe contest. Gorham, King, and Strong were present to support their action at the Philadelphia Convention. Among the other active leaders in the campaign for ratification the most notable were former Governor Bowdoin, Generals Heath and Lincoln, Theophilus Parsons, Theodore Sedgwick, and Fisher Ames. The opponents of ratification lacked experienced leadership. Governor Hancock, who was supposed to sympathize with the opposition but had not publicly declared himself either for or against the Constitution, avoided taking sides as long as possible. Samuel Adams did likewise, so far

as his public utterances went, though in private he seems to have thrown his influence at first against ratification. Nathan Dane, who with R. H. Lee of Virginia had led the movement in the Congress to amend the Constitution before referring it to the States, was defeated for the State Convention; and Gerry also failed to secure a seat. Samuel Holten was the only Antifederalist delegate who could show a conspicuous record of public service. The other Antifederalist leaders were obscure men, mainly from the small towns and country districts.

The character of the opposition to the new Constitution was revealed in the debates in the Convention. It sprang from a deep-rooted distrust of delegated authority, which made many a plain farmer regard the proposed general government almost as a foreign power. Agricultural prejudices against the commercial classes strengthened the distrust of a plan which seemed to be supported most energetically by urban and money-eyed interests. Democratic sentiment, which associated these interests with the idea of class-rule in politics, transformed this distrust into a veritable aristocracy-phobia. Moreover, it was clear that under the new Constitution there would be an end of State paper money, legal tender laws, and the repudiation of debts, while it was not so clear that there would be no impairment of valuable civil rights, such as trial by jury, liberty of the press, and liberty of conscience.

Ratification with Amendments (1788)

The Federalist leaders soon perceived that they could not obtain ratification without making some concessions to the opposition. They accordingly proposed that the Convention ratify the Constitution, and at the same time recommend the adoption of certain amendments thereto at the earliest opportunity in the manner provided in the Constitution itself. One of these proposed amendments provided that all powers not expressly delegated to the Federal Government should be reserved to the States. Others safeguarded the rights of trial by jury in civil suits and of indictment by a grand jury in criminal cases. The Federalist leaders were then able to make an arrangement with Governor Hancock, who had been elected

president of the Convention, by which he threw his great influence in favor of ratification upon these terms and in return received Federalist support for his own political ambitions. On January 31st Hancock brought in the motion to ratify and subsequently to amend. This compromise was the turning point in the struggle for ratification. Sam Adams promptly endorsed Hancock's proposal, and several former opponents of the new Constitution announced their conversion.

When the final vote was about to be taken, however, Sam Adams proposed several additions to Hancock's list of desirable amendments; notably, that provision be made for preserving the liberty of the press and of conscience, the right of petition and of keeping arms, and immunity against unreasonable searches and seizures. The Convention was thrown into great confusion and the defeat of the whole proposition seemed imminent. Adams, who seems by that time to have been earnestly desirous of promoting the ratification of the Constitution, hastily withdrew his proposals, and Hancock's motion was at length adopted by the close vote of 187 to 168.

The distribution of the vote for and against ratification reveals more clearly than the debate the true character of the contest over the new Constitution in Massachusetts. The coast counties, in which the commercial interests were strongest, gave 102 votes in favor of ratification and only 19 against. The counties away from the coast furnished 60 votes for ratification and 128 against. The counties in what afterwards became the State of Maine were more closely divided, furnishing 25 votes for ratification and 21 against. The counties with the biggest majorities in favor of ratification were Suffolk and Essex, where the principal seats of commerce were located; and the county with the biggest adverse majority was Worcester, where agrarianism had been most rampant. From beginning to end, the movement for the more perfect Union in Massachusetts was most vigorously supported by the commercial interests; whilst the small farmers furnished the bulk of the opposition. Nevertheless, there was general acquiescence in the result, and for years afterwards Hancock and Adams held the chief offices in the Commonwealth with the support of Federalists and former Antifederalists alike.

Effect of Massachusetts Support

The action of the Massachusetts convention exerted a powerful, possibly a decisive, influence upon the fate of the Constitution. Previously five States had ratified; but it was already evident that the necessary nine States could not be obtained without a great struggle and the issue was doubtful. The adherence of New York and Virginia was particularly dubious. While George Clinton and Richard Henry Lee were fighting ratification in their respective States upon any conditions, more judicious leaders, particularly Jefferson, were proposing that a group of States should withhold their approval until the Constitution should have been amended by another Convention so as to make sure that the Constitution should not become effective unless it were amended.

The Massachusetts plan was a wiser one, as Jefferson himself was presently to acknowledge. Its wisdom is attested by the fact that, whereas the five States which had previously ratified all did so without reservations or conditions, only one of the States which subsequently ratified failed to suggest amendments for incorporation into the Constitution at the earliest opportunity. And one of the first acts of the first Congress under the Constitution was to submit twelve amendments to the States which had joined the Union. Ten of these were promptly ratified, thereby supplying that bill of rights, the lack of which Gerry had deplored in the Federal Convention; and which the proposals of Hancock and Adams in the State Convention had done so much to forward. This addition to the Constitution was one of Massachusetts' greatest contributions to the formation of the more perfect Union.

Effect of the Massachusetts Constitution of 1780

Besides taking the lead in supplying the Constitution with a bill of rights, Massachusetts did more than any other State to suggest for the Federal Government the structure necessary for making these rights of more than merely theoretical importance; for the State Constitution of 1780 furnished the best model then existing of a government in which the executive and judicial branches were clearly separated and rendered independent of one another. This was the indispensable con-

dition for any effective protection by the judiciary of the rights of the people. The history of the Massachusetts Constitution of 1780 is elsewhere recorded in this volume. It was drafted by John Adams, and was known to have been prepared with exceptional care. The principles upon which it was constructed and the form of government which it established were frequently cited in the debates at Philadelphia by the delegates from Massachusetts and by others also. Indeed the government of Massachusetts was mentioned in the Federal Convention more often than that of any other State.

The influence of the State Constitution was reenforced by the writings of its principal author. The first volume of John Adams's *Defense of the Constitutions of Government of the United States* reached Philadelphia as the Convention was settling down to work. June 2, Benjamin Rush of Philadelphia wrote to Dr. Richard Price in England that "Mr. Adams' book has diffused such excellent principles among us, that there is little doubt of our adopting a vigorous and compounded federal legislature. Our illustrious minister in this gift to his country has done us more service than if he had obtained alliances for us with all the nations of Europe."

Madison was more discriminating in his praise. "Mr. Adams' book," he wrote, "has excited a good deal of attention. An edition has come out here, and another is in press at New York. It will probably be much read . . . and contribute . . . to revive the predilections of this country for the British Constitution. Men of learning find nothing new in it; men of taste many things to criticise; and men without either, not a few things which they will not understand. . . . The book also has merit." Whatever may be thought of Adams's book, it gave wide currency and sanction to the Massachusetts plan of government. While Adams himself paid little heed to the possible development of the power of judicial veto when applied to unconstitutional laws, except in cases where they threatened the authority of the judges themselves, he was keenly alive to the importance of an independent judiciary for the purpose of maintaining the due process of law; and that has become the corner-stone of constitutional government in America.

Extent of Massachusetts Influence

Doubtless the influence of Massachusetts in the actual framing of the Federal Constitution was somewhat impaired by the dissensions among its delegates. At the outset of the Convention they had no comprehensive or definite plan and at the successive crises in its deliberations they were unable to act together. Hence the delegation never secured such a commanding position as was held at times by the delegations from Virginia and Pennsylvania, nor accomplished such a brilliant achievement as that of the Connecticut delegation in maintaining the federal character of the more perfect Union. Nor did they promote sectional and local interests with the vigor and efficiency of the delegation from South Carolina. But as individuals the Massachusetts delegates rendered a good account of themselves, and gave the State an important part in the proceedings of the Convention. Gerry may have been a failure at team-play and perhaps carried his devotion to Federalism too far, but few members of the Convention made more important contributions in matters of detail. Gorham was one of the most effective delegates in protecting the special interests of his own State. King won honorable distinction among the little group who had imagination to conceive a genuinely national plan of Union and courage to put national interests consistently before those of any section or State. Strong was a worthy specimen of those plain and honest men whose solid intelligence made common sense prevail in every crisis. And so it came about that Massachusetts obtained what she desired,—a strong and energetic general government capable of promoting the general welfare without unduly jeopardizing the liberties of the Commonwealth.

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CHAPTER XIV

MASSACHUSETTS IN THE UNION (1789 – 1812)

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Establishment of the Federal Government (1788)

Massachusetts ratified the Constitution by a close vote on February 6, 1788, being the sixth state to enter the Union. Although the outlook for adoption at first seemed unpromising, most of the wealthy and influential citizens, especially in the maritime towns, came to favor the new form of government, believing that it would establish a sounder economic and political system than that which they had endured under the Articles of Confederation. When New Hampshire took a similar course, June 21, 1788, the nine states necessary had been obtained.

It was not until the pivotal states of Virginia and New York acquiesced a few days later that the Union was made certain. As summer turned into autumn, Massachusetts prepared, with the others, to take her place among the United States of America. By this Union no state was to profit more than Massachusetts; for on the stability of trade and finance her future largely depended.

Status of Massachusetts (1789)

Massachusetts, in 1789, included the District of Maine under its jurisdiction; otherwise its boundaries were the same as they are to-day. The population of the Commonwealth, according to the Federal Census of 1790, was 378,787; or, including Maine, 475,327,—about half that of Boston in 1929. The state was second only to Virginia in numbers and importance. Nine towns had over four thousand inhabitants, and of these the first five—Boston, Salem, Marblehead, Gloucester, and Newburyport—were seaports. Most of the

places which to-day are large manufacturing centers were then insignificant. Springfield contained only 1574 inhabitants, Worcester only 2095, and Lynn only 2291; while Lawrence and Lowell were as yet unknown. Among the larger towns were Rehoboth, sixth in the state, with 4710, followed closely by Ipswich, Middleboro, and Bridgewater. Beverly and Brookfield, with about 3000 each, were among the populous communities. Boston, the third city in the country, with approximately 18,000 people, still held its town meetings in Faneuil Hall.

During the period covered by this chapter, Massachusetts relied for its prosperity upon its maritime commerce, for even the agricultural interior sold its products to the seaports. Business was concerned chiefly with the extensive trade carried on by importers and exporters with all parts of the world. The total merchant and fishing fleet of Massachusetts by 1810 reached 500,000 tons. It has been estimated that nearly twelve hundred vessels were constructed on the lower Merrimac in the years from 1793 to 1815. Many merchants accumulated comfortable fortunes and formed an opulent and aristocratic society, the members of which lived in luxurious style. Morison is right when he says, "In the final analysis, the power of Massachusetts as a commercial state lay in her ships, and the men who built, owned, and sailed them." Accordingly, it was the maritime interests which, in the formative days of the new government, controlled Massachusetts politics; and it was their avowed aim to stimulate commerce. In this basic fact we find the key to the relations of Massachusetts to the Union between 1789 and the War of 1812.

First Federal Elections (1788–1789)

After some debate over the proper methods of carrying into effect the provisions of the Constitution, the General Court, which was strongly Federalist, settled down in late November to the election of two Senators. Passing over such distinguished figures as Samuel Adams and John Hancock, it named on the first ballot Caleb Strong, a Northampton lawyer who had been a member of the Convention of 1787 and enjoyed a reputation as a safe man. Tall and angular, plain in speech and dress, he was substantial, not showy; and he was to be

prominent in Massachusetts politics for many years to come. For the second senatorship an agreement was reached on Tristram Dalton, of Newburyport, an aristocratic and scholarly country gentleman, with a manner which was formal and imposing. Despite their differences in temperament, both Strong and Dalton favored the Constitution; and General Lincoln wrote Washington, "Our Senators are Federal indeed." When, in May, 1789, they drew lots to determine the length of their terms, Dalton was assigned one of two years, while Strong received one of four years.

Representation in Congress (1789 – 1795)

In the Congressional elections held during the winter of 1788-89, party lines were not sharply drawn, but the people showed an inclination to support candidates who had advocated the adoption of the Constitution. In Suffolk, Fisher Ames, an eloquent defender of the Constitution in the State Convention, won by a small margin over Samuel Adams. That old campaigner, although he had been persuaded to vote for ratification, was known to favor amendments and was not altogether trusted by the "solid men of Boston."

It is true that, in Middlesex, Elbridge Gerry, who had refused to sign the Constitution and who was thoroughly democratic in his ideas, defeated his former colleague, Nathaniel Gorham, who had presided over the sessions of the Constitutional Convention at Philadelphia for three months while it sat as a Committee of the Whole. Nevertheless Gerry could not have been elected if he had not made a public statement that every citizen was bound to support the new government. From the prosperous Essex District, the representative was Benjamin Goodhue, a Salem merchant and a conservative man of property, who was later to be a United States Senator. In Plymouth, George Partridge, who had served in the Continental Congress, received a vote which was almost unanimous; George Leonard, an attorney from Norton, won easily in the Bristol District; and George Thacher was chosen from the Eastern District, now the state of Maine.

In two sections there were prolonged and bitter battles. In the Upper District, among the Berkshires, Theodore Sedg-

wick, an ardent Federalist, eventually showed a majority of seven over an Antifederalist opponent. In Worcester, on the other hand, Jonathan Grout, who had been out with Captain Shays in 1786, was victorious. Of the Massachusetts delegation, Gerry and Grout were the only members not enthusiastic for the Constitution. It must be remembered, however, that barely more than three per cent of the people of the Commonwealth had participated in the election. There was still a property qualification for voters, which was not removed until an act, extending the suffrage to all males over twenty-one years, was passed under the Gerry administration in 1811.

Massachusetts in Federal Organization (1789 – 1800)

The presidential electors from Massachusetts were chosen in 1789 by a peculiar process, the General Court selecting two at large and eight from a list of twenty-four names sent up by the eight congressional districts, three from each. These ten electors, meeting in the Senate Chamber on February 4, 1789, voted for George Washington and John Adams. When, on April 6, in New York, the ballots were counted, it was declared that Washington was elected President without a dissenting voice; and that Adams had 34 votes out of 69,—not a majority, but sufficient to make him legally Vice President. Thus Massachusetts arrived at the second place in the administration.

Vice President Adams, as soon as he was officially notified of the result, set out from Braintree for New York, on a journey made pleasant by receptions and ovations; and he was greeted warmly when without public ceremonies he took his seat in the Senate Chamber as presiding officer. In due time General Washington, after a similar triumphal progress north from Virginia, reached the temporary capital and was formally inaugurated, on April 30, 1789.

In the government thus auspiciously opened, Massachusetts was to have no small influence. When the Supreme Court was organized in September, Washington appointed William Cushing, who had been the first Chief Justice of the Commonwealth under the Constitution of 1780, as Associate Justice; and later, in 1796, Cushing was named as Chief

Justice of the United States, but declined because of ill health. In the Cabinet, Washington retained his intimate friend, General Henry Knox, as Secretary of War, the post which he occupied under the Articles of Confederation. Knox was a rather unimaginative official, whose wife, being socially ambitious, spent far more than her husband's salary in entertaining his colleagues. Samuel Osgood, of Andover, who had acted since 1785 as one of the three Treasury Commissioners, was appointed Postmaster General, an office not then of cabinet rank, but desirable because of the patronage which it controlled.

When he resigned in 1791, he was succeeded in the post office by the austere and uncompromising Timothy Pickering, of Salem, who, as one of Washington's favorite subordinates, had risen to be Quartermaster General of the army. Pickering, a blunt, proud, and fanatical man who sought preferment and secured it, became the leader of the more narrow-minded wing of the Federalist party. In 1795 he took Knox's place as Secretary of War, and a few months later became Secretary of State after Randolph's resignation. He continued as head of the Department of State under President John Adams until he was dismissed in May, 1800. Everything considered, Massachusetts men had no reason to grumble regarding the favors accorded their state by the national government.

Massachusetts Federalists (1789–1801)

Meanwhile the first Congress, sitting through the hot summer of 1789 in New York City, was setting up administrative machinery and discussing matters of significance to Massachusetts. The issues of the next quarter century cannot be comprehended without some understanding of the position and tenets of the Federalist party, particularly in New England, where it was strongest. From the time when the adoption of the Constitution was under discussion, this party comprised the more conservative elements in the community, who wanted an adequate central authority because it was "good for business." The basis of the party division was economic; and the Federalist policy and strategy were determined mainly by economic motives. Bankers, shipown-

ers, and merchants, supported by the Congregational clergy, the lawyers, and the judiciary, joined in unqualified approval of Hamilton's financial measures. Senator Dalton, setting out for New York, wrote to a constituent, "Everything that can affect shipbuilding I shall watch with a jealous eye."

Federalists liked to boast that they were the friends of society, religion, and good order,—they had the favor of the property owners, the college graduates, the old families. They also held that the Antifederalists, and later the Republicans, were, with some notable exceptions, the natural enemies of merchants, banks, lawyers, churches, and courts. Whatever legislation promoted commerce, fostered industry, and stabilized the currency was welcomed by maritime Massachusetts, where Federalism was entrenched. It was shrewd self-interest as well as sentiment that prompted the Federalists to adopt a pro-British policy, to shrink with horror from the French Revolution and the Reign of Terror, to support Jay's Treaty, to uphold the Alien and Sedition Laws, to denounce the acquisition of Louisiana, to condemn the Embargo Act, and to oppose the War of 1812.

The Essex Junto (1789 – 1811)

Although the soul of the Federalist party was doubtless Alexander Hamilton, of New York, he found his ablest backing in a group of Massachusetts conservatives, who came to be known as the "Essex Junto" because so many of them were born or lived in Essex County, that picturesque strip of land along the coast including Salem, Marblehead, Ipswich, Gloucester, and Newburyport. The Junto was a small and exclusive circle of intelligent, well-to-do, and aristocratic gentlemen, who met frequently in the "best society" of Boston, whose families often intermarried, and who were identified with the same financial interests as investors or directors of companies. George Cabot, the Boston merchant who was perhaps their stateliest figure, voiced the opinions of them all when he said frankly, "I hold democracy in its natural operation to be the government of the worst."

They also included several wealthy business men: Stephen

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Higginson, a shipmaster of Salem; Nathaniel Tracy, Jonathan Jackson, and Stephen Hooper, all of Newburyport; and Christopher Gore, who, after acquiring a fortune through speculation, became a United States Senator. Among the judiciary, the Junto could rely on John Lowell, judge of the federal district court, Francis Dana, chief justice of the Commonwealth from 1791 to 1806, and his successor, Theophilus Parsons, who was considered by his contemporaries to be an impressive combination of frigidity and reason. The active political leaders were the brilliant and cynical Fisher Ames, one of the most persuasive orators of that period, and Timothy Pickering, the satellite of Alexander Hamilton. Still another charming character, the courtly Harrison Gray Otis, remained a Federalist long after his early party companions were in their graves, and came eventually to be regarded as the last survivor of a bygone generation.

Massachusetts Republicans (1793 – 1811)

Against such an aggressive and unyielding combination of money and brains, those in opposition could at first muster only a few scattered adherents, first in the rural districts, among the farmers of Berkshire and Worcester, and then among tradesmen and mechanics in Boston. In rousing their followers, the Antifederalist and Republican agitators appealed to the widespread distrust of lawyers and of the courts, stirred up latent social prejudices; and they gave publicity to the special privileges enjoyed by the shipowners and the clergy.

Some capable men, it is true, espoused the Republican cause very early: Dr. Charles Jarvis, a Boston physician, "made the rights of man his pole star"; General James Sullivan, from the Maine District, who defended the French Revolution in two startling pamphlets, served two terms later as governor of the Commonwealth. Such Antifederalist leaders as Elbridge Gerry and Levi Lincoln were not inferior to Pickering and Ames in either respectability or intelligence.

Broadly considered, however, the individual Jeffersonians were not for some years equal in reputation to the members of the Essex Junto; when Republicanism triumphed in Massachusetts, it was because of its spread among those "plain people" in whose collective judgment Thomas Jefferson had such confidence. But there was to come a period when such eminent Federalists as William Plumer, William Gray, and John Quincy Adams would transfer their allegiance to the Republicans. Then not even the most arrogant or snobbish member of the Essex Junto dared to impugn the decency of the leaders of the rival party. When that moment arrived, the glory of New England Federalism was decidedly on the wane, and the disintegration of the Junto was already apparent.

Massachusetts on the Tariff (1789–1793)

In the early days of Washington's administration the work of the Massachusetts Federalists was highly constructive. First on the legislative program was the necessity of raising a revenue by adopting a temporary system of import duties. In the debate which ensued, Massachusetts men, who were among those likely to be affected by tariff measures and who were familiar with conditions, were active on the floor of the House. Goodhue, himself an importer, joined with Fisher Ames in objecting to a heavy duty on molasses, which was then used mainly for the distilling of rum. On the other hand, Goodhue defended a duty on spikes, nails, tacks, and brads, maintaining that the manufacture of these commodities was progressing in New England and deserved encouragement; and Ames argued forcefully that such infant industries require and merit protection. It was a doctrine with which Massachusetts was to become more familiar during the nineteenth century.

In the matter of tonnage duties, again, the Massachusetts delegation fought for a discrimination in favor of American vessels. When the Revenue Act was passed, after having been amended and revised by both branches, it was, thanks to Gerry, Goodhue, and Ames, highly favorable to New England. In consequence, Massachusetts tonnage tripled in the years from 1789 to 1792.

Hamilton's Financial Policy (1790–1793)

When the second session of the First Congress convened in early January, 1790, and proceeded to consider Hamilton's *Report on the Public Credit,* just prepared by him as Secretary of the Treasury, Massachusetts men supported him unreservedly on each of his important proposals. Hamilton's plan of paying the full foreign and domestic debt, with all the arrears of interest, excited much criticism; but the Federalists, under his guidance, stood firm. Fisher Ames wrote: "I hope we shall not finish the session without funding the whole debt. . . . Without a firm basis for public credit, I can scarcely expect the government to last long." When the subject of the assumption of state debts was broached, Sedgwick and Ames led their Massachusetts colleagues in approving Hamilton's bold plan to consolidate and strengthen the central government by having it take over the financial obligations of the separate states. When Hamilton's strategy enabled him to gain his point by allowing the South to have the national capital, the Essex Junto applauded. The mint and the excise were adopted as Hamilton had recommended, and even the United States Bank went through with a good majority. Ames, speaking on this project, said, "It seems to be conceded within doors and without that a public bank would be useful to trade, that it is almost essential to revenue, and that it is little short of indispensably necessary in times of public emergency."

Professor Beard's careful analysis of votes in his *Economic Origins of Jeffersonian Democracy* shows that the eight representatives and two senators from Massachusetts voted solidly for the Funding Bill and for the assumption of state debts; and points out that not only Senator Strong and Representatives Ames, Leonard, Partridge, and Sedgwick, but also the Antifederalists, Gerry and Grout, were listed as holders of state or national certificates of indebtedness and therefore stood to profit personally by Hamilton's policy.

Interests of Massachusetts (1789–1795)

It is not remarkable that Massachusetts men of all political creeds supported funding and assumption when it is recalled that the Massachusetts state debt thus shifted to the Federal

government was relatively very large; and that the Commonwealth was second only to New York in the amount of public securities held by her citizens. Even on the Bank Bill, the only opposition from Massachusetts in Congress came from Grout, who had been a follower of Shays.

The votes of Massachusetts confirm the theory that capitalists, manufacturers, and men of property in general realized the expediency of upholding Hamilton in his program and of joining against the agrarian interests, which drew their power chiefly from Virginia and the South. Fisher Ames, in a letter written in November, 1791, pointed out that the subjects of controversy between the two sections were "equally lasting and unpleasant"; and showed that "most of the measures of Congress have been opposed by the Southern members." Hamilton's plan has been well said to have constituted "a distinct bid to the financial, commercial, and manufacturing classes to give their confidence and support to the government in return for a policy well calculated to advance their interests." Massachusetts certainly did her share, and more, in helping the Secretary of the Treasury to put his policy into operation.

Washington's Tour of New England (1789)

The loyalty of New England to the administration was enhanced by the tour through the Northern states taken in the autumn of 1789 by President Washington. Three weeks after the adjournment of Congress he set out, accompanied by Major William Jackson and Tobias Lear. They proceeded by way of New Haven, Hartford, Springfield, and Worcester, carefully avoiding Rhode Island, which was not yet in the Union. When he reached Cambridge, on October 24, he was greeted by Lieutenant Governor Samuel Adams and the Executive Council, who escorted him to the State House, extended him a formal welcome from the Commonwealth, and then took him to his lodgings at "the Widow Ingersoll's," on the north corner of Tremont and Court Streets,—"a very decent and good house." A delay at the outskirts of the city had exposed him to a chilling northeast wind, and he took a severe cold, to which, however, he did not yield.

Upon hearing of Hancock's determination not to make the

first call Washington made arrangements to dine at his own lodgings and several of those who had originally been invited to the Governor's stayed with him. Among these was Vice President Adams, in spite of the fact that he was in some respects a state rights man himself and a friend of Hancock's.

The position of Washington is best set forth in his own words. In the evening two members of the Council were sent to explain and apologize, claiming the governor was ill. Replying, Washington said: "Gentlemen, I am a frank man and will be frank on this occasion. For myself, you will believe me, I do not regard ceremony; but there is an etiquette due my office which I am not at liberty to waive. My claim to the attention that has been omitted rests upon the question whether the whole is greater than a part."

The next day, Sunday, the pressure brought by his friends was too much for Hancock and an exchange of notes prepared the way for an exchange of calls, the Governor taking the initiative in each case. He pleaded gout; and certain it is that he was carried into Washington's presence with his leg picturesquely wrapped in red flannel. How real the attack was will probably never be known, for the memories of those present disagree. Some say that upon his return to his own house Hancock had little difficulty in walking up his steps. The episode was not without significance, in that the ultimate victory remained with the representative of the national government.

On Monday, Washington rode through the streets on horseback, looking rather stiff and unbending; on Tuesday he attended a "large and elegant dinner," held at three o'clock in Faneuil Hall; on Wednesday he visited factories, dined at Dr. Bowdoin's, and appeared at the Assembly, where there were "upwards of 100 ladies." On the 29th he continued north on a trip to Salem, Newburyport, and Portsmouth,—all strongholds of Federalism,—and then, turning inland, rode to Exeter and south through Haverhill, Andover, Watertown, and Uxbridge into Connecticut, being received everywhere with manifestations of cordiality,—poems, bonfires, banquets, triumphal arches, and cheers. He reached his house in New

York on Friday, November 13, after having been away almost a month, on a trip which could easily be accomplished to-day in a week or less by automobile, with time out for entertainment and rest.

Changes in Congress (1791 – 1801)

Slowly the make-up of the Massachusetts delegation changed through successive Congresses. In the Senate, the Commonwealth was consistently represented by Federalists. When the disgruntled Dalton's short term of two years had expired, he was succeeded by George Cabot, who took his seat in the Senate at the new capital in Philadelphia, to which the government moved in 1791; and when Cabot resigned in 1796, his place was taken by Benjamin Goodhue, who shortly became chairman of the important Senate Committee on Commerce. In March, 1796, Theodore Sedgwick, who had served several terms in the national lower house, was elected to follow Strong in the Senate, where he promptly became an influential figure, being made president *pro tempore* of that body in 1797. After his withdrawal to return to the House of Representatives in 1797, he was succeeded by Samuel Dexter, then a Federalist, although he later supported Jefferson's policy towards England.

In the House of Representatives, Massachusetts was also largely Federalist, although here and there a Republican managed to gain a victory. The increase in the number of congressional districts from eight to fourteen added new names to the delegation in the Fourth Congress. In the campaign of 1794, Dr. Charles Jarvis, a vociferous Antifederalist, ran against the redoubtable Fisher Ames and almost defeated him in a contest which brought out "the greatest collection of people yet seen at a Boston election." In the same year, the staunch old Federalist lawyer, Samuel Dexter, was decisively beaten in Middlesex by Joseph Bradley Varnum, "a dirt farmer" of Dracut, who was destined to be Speaker of the House of Representatives for two terms (1807-11), United States Senator (1811-17), and president of the Senate. Another important new face in the House was that of Henry Dearborn,

From print in New York Public Library

THEODORE SEDGWICK

who was sent from the Maine counties as a Republican and later became Jefferson's Secretary of War,—a portly and commanding personage, who had been a Revolutionary soldier and retained something of his military bearing even in civilian life.

In general, throughout Washington's two administrations, public sentiment in Massachusetts remained Federalist, although a slight gain for the Republicans can be detected over a period of years. As the French Revolution advanced from one radical step to another, conservative citizens, lovers of law and order, deplored its excesses. The Federalist leaders in 1793 regretted Washington's Neutrality Proclamation, criticized the indiscretions of "Citizen" Genet, and openly advised taking sides with England. The business affiliations of maritime Massachusetts would have been sufficient to lead the Federalists in the Commonwealth to sympathize with Great Britain in her struggle with revolutionary France. Unfortunately, England could not, or did not, refrain from acts which made it difficult for the average unprejudiced American to look upon her with favor.

Suability of the States (1793)

Hancock was more successful four years later in what was to be the last public act of his life. Until the passage of the Eleventh Amendment in 1798, one of the most vexing questions concerning the Federal relationship had to do with the suability of the states. On September 18, 1793 the General Court met in special session at the summons of the governor. Hancock was so feeble that he had to be carried in and have his message read by the clerk. It recited that an alien had brought suit against the State of Massachusetts in the Federal Supreme Court. This temerity was the act of Vassall, resident of Cambridge before the war, and owner of the beautiful house now known as the Longfellow House. He was one of the detested Massachusetts loyalists, included in the official list of Tories who were expatriated; it disposed of such of their property as could be reached. A house, still standing in Cambridge in 1929, had been confiscated by the State but not sold. For this property Vassall brought suit against the

State of Massachusetts in the Federal Supreme Court. That court formally summoned the Governor and Attorney General of the state to attend in person as defendants. This Hancock in his message denied, as being incompatible with sovereignty that a state should be compelled to answer in a civil suit.

After discussing the matter for several days, the legislature, September 27, passed resolutions declaring that "a power claimed of compelling a State to become a defendant in the court of the United States, at the suit of an individual or individuals, is dangerous to the peace, safety, and independence of the several states, and repugnant to the first principles of a federal government."

The legislature also passed resolutions looking to amendment of the Constitution so as to protect the states in this regard; which resolutions it requested the governor to forward to the legislatures of the other states. This protest conjoined with the more violent action of Georgia in the famous case of *Chisholm* vs. *Georgia* led directly to the introduction of the Eleventh Amendment. The death of Hancock on October 8 left it for Governor Samuel Adams to carry out the behest of the legislature, which he was not at all loath to do, as he was already on record as favoring the proposed amendment.

The Northern Boundary (1783 – 1798)

Article V of Jay's Treaty was of very definite significance to Massachusetts. In 1789, the present state of Maine was politically a district of Massachusetts, although not contiguous. By the Treaty of 1783, a line was established between Maine and Canada, "drawn along the middle of the river St. Croix, from its mouth in the Bay of Fundy to its source."

Soon after the treaty was adopted, disputes arose over the identity of the "river St. Croix," and the Jay treaty arranged for a board of commissioners to adjust the differences. The British commissioner, Colonel Thomas Barclay, and the American, Professor David Howell, chose a third member, Judge Egbert Benson, of the Supreme Court of New York. James Sullivan, then Attorney General of Massachusetts and later Governor, was made Agent to conduct the American

case, Ward Chipman representing the British. After frequent meetings and a careful topographical study, the Commission reported (October 25, 1798), that the Schoodic River was the true St. Croix, thus justifying the British contention. Further problems arising from the boundary dispute were not settled until the Ashburton treaty was proclaimed on November 10, 1842.

Changes in the Federal Constitution (1789 – 1798)

In the ratifying Convention of 1788, Massachusetts led the other states in proposing certain amendments containing the essential provisions of a Bill of Rights. These were formally prepared by John Hancock through what would now be called a "political deal," without which the Federalists would have been unable to secure ratification of the Constitution in Massachusetts. Other states followed this lead until seventy-eight amendments had been suggested, many of them virtually duplicates; all intended to conserve the rights of individual persons and of states. Congress reduced these by consolidation and elimination to twelve, of which ten were finally ratified by a sufficient number of states, and constitute the so-called "bill of rights" of the Constitution.

An additional amendment sprang also from Massachusetts in conjunction with South Carolina, and soon became an accepted part of the national system. In the case of *Chisholm* vs. *Georgia,* the Federal Supreme Court held (February, 1794) that a state could be sued in the Federal courts by the private citizen of another state. The court also ordered judgment by default to be entered against the state of Georgia at the next term. A suit of a similar kind was at once introduced in *Vassall* v. *Massachusetts,* Vassall being an alien who had left the country at the opening of the Revolutionary War and retired to England. Without entering into technical legal details, it may be said that Vassall was suing for monies arising from the sequestration of his property as a refugee, including a house which still stands on Brattle Street, Cambridge. The property was then vested in the Commonwealth. John

Hancock, having been likewise served as governor with a summons legally issued from the Supreme Court of the United States, denied its jurisdiction and immediately issued a call for a special session of the Legislature. September 27, 1793, the General Court, after several days of sharp debate, urged Congress to adopt a constitutional amendment which would "remove any clause or article. . . . which can be construed to imply or justify a decision that a State is compellable to answer in any suit by an individual or individuals in any Court of the United States." Virginia followed with similar action.

The movement begun by two states that had been summoned to the bar of the Supreme Court resulted in the introduction into Congress of the Eleventh Amendment to the Constitution, which was submitted by the two Houses in the winter of 1794. It was eventually ratified by a sufficient number of states. In consequence, the Supreme Court in February, 1798, declared that it had no jurisdiction "in any case, past or future, in which a state was sued by citizens of another state, or by citizens, or subjects, of any foreign state."

Presidential Election of 1800

Even the prestige and influence of Washington had not availed to keep party spirit within bounds. With his retirement, the wide divergence of opinion between Federalists and Republicans was apparent. Among the Federalists themselves existed rivalries which threatened disaster. John Adams, the Vice President, by enemies called "a tactless, conscientious man, who did not lend himself to party cooperation," was logically next in line for the Presidency; and most of the Federalist leaders, including those from his own state, felt bound to support him.

Hamilton, however, distrusted him, and devised a clever plan which would, he thought, accomplish two ends; the defeat of Jefferson and the elimination of Adams. Having selected Thomas Pinckney, of South Carolina, as his tool, he busied himself during the summer and autumn of 1796 in persuading Federal electors to vote for Pinckney; but to scatter their second ballots for other candidates than Adams.

As the Constitution provided that the man with the highest number of votes in the Electoral College was to be President and the one with the second highest number Vice President, it looked as if Pinckney might be chosen. Adams, however, was suspicious, and his friends determined to offset Hamilton's trickery by giving their second votes to some one besides Pinckney. In the end, Adams received 71 votes; while Jefferson, with 68, ran ahead of Pinckney: thus because of the Federalist intrigue Jefferson became Vice President. Massachusetts, still the second state in population, had the distinction of providing the second President of the United States.

Adams made the initial mistake of retaining most of his predecessor's Cabinet—Pickering in the State Department, McHenry in the War Department, and Wolcott in the Treasury—though all three, being devoted to Hamilton, followed his lead rather than Adams's. It was Hamilton who said of Adams that "he had great and intrinsic defects in his character which unfitted him for the office of chief magistrate." Thus opposed and plotted against by members of his own party and denounced by his more legitimate enemies, the Jeffersonians, Adams had reason for being a disgruntled man.

The really perplexing problems of Adams's stormy administration arose from our relations with France. Friendly to commerce, Adams wished to maintain the policy of neutrality so advantageously pursued by Washington, but the attitude of the French Directory made it exceedingly difficult to adhere to this position. No sooner had the United States avoided war with England than open conflict with France seemed inevitable. Irritated by the adoption of Jay's Treaty, France, in the summer of 1796, suspended the functions of her minister in the United States and began to seize our ships; thus the merchants of Salem and Newburyport were again the victims of international intrigues. Charles Cotesworth Pinckney, whom Washington had appointed as Monroe's successor at Paris, felt himself insulted by the Directory, set up on the ruins of the Republic; he left Paris in February, 1797. Adams fell heir to this complicated and disagreeable situation.

President John Adams (1797 – 1801)

Shortly after his inauguration, Adams appointed three commissioners: Charles Cotesworth Pinckney, John Marshall, and Elbridge Gerry,—the last-named being a Massachusetts man and a Jeffersonian. After vainly waiting several months to be received, these men left Paris in March, 1798, and Marshall returned to the United States to recount the story of the outrageous treatment of our representatives. His anger roused, Adams urged Congress to take measures for preparedness. The publication of the "X.Y.Z." correspondence in April, 1798, silenced even the Republicans; and bills were passed for calling out an army and completing three frigates. In Massachusetts, the citizens expected war, and the militia started to drill on many a village green. All loyal Americans thrilled at the sentiment, erroneously ascribed to Pinckney, "Millions for defense, but not one cent for tribute." If Adams had declared war, as Pickering wished him to do, he would have had the country back of him, and the quarreling factions at home would doubtless have united against a foreign foe; but he held back from the decisive step, hoping that conditions might change for the better. Meanwhile the Massachusetts Legislature passed resolutions of confidence in the President, with only thirty votes cast in opposition, and Federalism seemed to be triumphant in nation and in commonwealth. Indeed, in 1798 Massachusetts elected only two Republicans to Congress,—Varnum, in Middlesex, and Bishop, in Bristol. In Boston, Harrison Gray Otis opened his career in national politics by defeating that radical Jeffersonian, General William Heath, in a contest for a seat in the House of Representatives.

Alien and Sedition Acts (1798 – 1799)

At the very moment when Federalism seemed to be completely in the ascendant, the seeds of disaster were being sown. During the height of the war excitement, in the summer of 1798, the Federalists in Congress, in an hysterical mood, suc-

From original by Chester Harding Courtesy of Samuel Eliot Morison, Esq.

HARRISON GRAY OTIS

ceeded in passing the so-called Alien Acts, the Sedition Act, and a new Naturalization Act, prolonging to fourteen years the period required for full admission to the rights of citizenship. These measures, which were favored by Cabot, Goodhue, and the Massachusetts Federalists, were passed under the guise of patriotism; but their restriction of individual freedom gave the Jeffersonians new life.

One of the most widely advertised prosecutions under the Sedition Act,—which was intended to punish citizens or aliens who criticised the government,—was that of Thomas Adams, editor of the *Independent Chronicle,* a vigorous Jeffersonian paper published in Boston, which had offended the Essex Junto. When Adams himself fell ill and could not appear in court, his brother and book-keeper, Abijah, was arrested, tried under the intolerant Justice Dana, and sentenced to thirty days in jail. He served his term, and Thomas Adams died a few weeks later, his end hastened by the persecution which he had endured.

The Jeffersonians were not slow to see and accept the opportunity thus offered them. In November, 1798, were issued the famous Kentucky Resolutions, written by Jefferson and declaring the Alien and Sedition Laws to be "unauthoritative, void, and of no force." The Virginia Resolutions, prepared by Madison and passed in December, were milder in tone but equally clear in doctrine. Both Jefferson and Madison enunciated the theory that the Federal Government exists by compact between the states, a conception which the New England Federalists themselves were to approve ten years later.

In reply, the Massachusetts General Court passed resolutions in February, 1799, declaring that the Alien and Sedition Acts were legal; and that the Federal courts were the only authorized interpreters of the Constitution. Two Jeffersonians—John Bacon, of Berkshire, in the Senate, and Dr. Aaron Hill, of Cambridge, in the House—assailed the constitutionality of the obnoxious laws, but their voices were raised in vain. Only a few months later they were to have their revenge.

French War and Peace (1798–1800)

Meanwhile, during the summer of 1798, Congress was busy planning for the national defense. A new cabinet office, that of the Secretary of the Navy, was established and offered to George Cabot, of Massachusetts; when he declined, the place was accepted by Benjamin Stoddert, of Maryland. By December, the United States had fourteen men-of-war on the high seas, besides eight converted merchantmen and three fine frigates. Throughout 1799 and 1800 American vessels were retaliating on the enemy, until French privateers were glad to seek refuge in West Indian harbors. Massachusetts mariners did their part in driving French ships from our coast and bringing in prizes.

The army was less easily organized, for jealousies among the major generals led to an unfortunate quarrel over precedence: Knox, a Massachusetts man, protested against serving under Hamilton, who was technically his subordinate in rank. For a time Adams supported Knox, but was ultimately compelled to yield to pressure from the Massachusetts Federalists and to Washington's refusal to serve at all unless Hamilton were assigned second place to Washington. Such petty bickerings and intrigues among great men are not pleasant but are a part of national and state history.

Parties in Congress (1799–1801)

Fortunately, the emergency was slowly passing. Adams designated three new commissioners, who reached Paris soon after Napoleon had been made First Consul. Negotiations progressed rapidly, resulting in the Convention of 1800. The Hamiltonians had opposed this commission and did all that they could do to block it. Nothing but Adams's pertinacity carried our nation through what might easily have become a disastrous war.

Federalism in Massachusetts reached its height during the crisis of 1798. Adams received strong support from his own state, his policy having been approved in appropriate resolutions and notable expressions of public sentiment by the

students of Harvard College, the citizens of Boston, and the General Court. When, in 1799, Increase Sumner was attacked during his gubernatorial campaign because of his sympathy for Adams, he was reelected by a large majority; and in 1800, Caleb Strong, another friend of Adams, defeated the indefatigable Elbridge Gerry in a spirited contest.

Nevertheless Republicanism was gaining in Massachusetts. If the electors in the presidential battle of 1800 had been chosen in the Commonwealth by a popular vote in the districts, at least two would have been Jeffersonian. As it was, the Federalists, controlling the Legislature, in a special session were able to alter the law so that the General Court was instructed to name the electors. It was a flagrant exhibition of political trickery, indicating that the Federalists were capable of any device to save their prestige. For Congress, Bishop and Varnum (both Jeffersonians) were reelected, and were joined by two new Republicans, John Bacon, from Berkshire, and Levi Lincoln, from Worcester. Federalism, although still strongly entrenched, was fighting a losing battle against what Fisher Ames called "the *rabics canina*" of Jacobinism.

Massachusetts in National Elections (1800–1804)

With a complacency both amusing and pathetic, the Massachusetts Federalists in 1800 refused to admit defeat. The *Columbian Centinel* stated on December 13 that there could be no doubt of the reelection of Adams, with Pinckney as Vice President. When it was announced that there was a tie between Jefferson and Burr, the Federalists, maddened by disappointment, began a series of intrigues calculated to bring disgrace upon their party. Indifferent to the evident intention of a majority of the voters, they took advantage of the technicality and did their utmost to elect Burr over Jefferson.

Hamilton, to his lasting credit, refused to sanction the scheme; but Massachusetts leaders like Sedgwick and Otis espoused the cause of Burr. When the election was thrown into the House for thirty-five consecutive ballots, the Massachusetts delegation voted for Burr,—11 to 3. Even on the final ballot on February 17, four New England states—New

Hampshire, Rhode Island, Connecticut, and Massachusetts—still cast their Federalist majorities for Burr. Certain Federalists from other sections, however, wisely declined to vote, thus giving majorities in their states for Jefferson. Theodore Sedgwick, then Speaker of the House of Representatives, was obliged to smother his rage and announce the election of Jefferson; but, like President Adams, he would not attend the inauguration of a Republican.

Thus the Federalist party of Massachusetts, after doing well its constructive work of laying the foundation of a new government, was forced to yield to a more liberal spirit. The Essex Junto objected to the new President on many counts. As shipowners, they were convinced that Jefferson, an agriculturalist, could not understand their problems and their needs. As aristocrats in principle, they believed that he was an advocate of mob rule, who had set aside the rule of primogeniture in Virginia and who was unduly suspicious of the rich, the intelligent, and the well-born. The Congregational clergy denounced him as an atheist and a free-thinker, who had established religious freedom in his own state. Friends of England were sure that he was a violent Anglophobe.

Despite all this cumulative antagonism, even Massachusetts was slipping from the hands of the Federalists. The Republicans gained steadily in the General Court; and in 1804, when the Commonwealth resumed the former system of popular balloting for their representatives in the Electoral College, all nineteen electors were for Jefferson and Clinton. Massachusetts, with all the other New England states except Connecticut, was for the first time recorded in the Republican column in a presidential election. With Jefferson receiving 126 votes against 50 for John Adams, it looked as if Federalism were dead for all time.

Disunion Spirit in Massachusetts (1801 – 1806)

The change of administration in 1801 did not produce all the evils which had been so dolorously predicted. Even the removals from office were fewer than had been feared. Massachusetts did not lose representation in the Cabinet, for

Jefferson made General Henry Dearborn his Secretary of War. When Dearborn resigned in 1809, he was succeeded by Dr. William Eustis, another Massachusetts man, who remained in office until 1813. The Attorney General during Jefferson's first term was Levi Lincoln, an able lawyer from Worcester. Another cabinet appointee from Massachusetts was Jacob Crowninshield, of Salem, who was chosen Secretary of the Navy but never entered upon his duties, being attacked by tuberculosis.

Extreme Federalists found cause for anger in Jefferson's attacks on the judiciary, but the comparative calm of the new administration was not seriously disturbed until the news of the purchase of Louisiana reached Boston in late June, 1803. There it was received with joy by the Republican press, and the Federalist papers were temporarily at a loss as to what position to take. Jefferson, by pacific methods, had acquired what the Federalist leaders under Adams had previously planned to gain by war. The Essex Junto, however, soon discovered strong objections to the annexation: they questioned the title which had been conveyed; they complained that the new territory would ensure the perpetual subjection of the North to the South and West; and they inconsistently declared that Jefferson's act was unconstitutional.

A group of conspirators, headed by Senator Pickering of Massachusetts, together with Plumer of New Hampshire and Griswold of Connecticut, discussed the advisability of withdrawing from the Union. Pickering expressed the hope that there might be "a *new confederacy,* exempt from the corrupt and corrupting influence and oppression of the *aristocratic democrats* of the South." His plan was presented to several Massachusetts Federalists; but men like Ames, Parsons, Higginson, and Cabot declined to listen to it.

Aaron Burr, in New York, was apparently more receptive. Had he been elected Governor of New York in 1804, he might have accepted the leadership of a northern confederacy. He was, however, defeated in a three-cornered contest; and, when he killed Hamilton in a duel in July, the disunion plot was abandoned. From time to time during this period similar plans were brought up, but they never had the support of

public opinion in New England. Nevertheless, Pickering and his coterie were incapable of comprehending the new nationalism of Jefferson and the spirit which it was inspiring.

Neutral Trade and Impressment (1803 – 1807)

By 1807 the Jeffersonians were in control of all branches of the Massachusetts government, and it looked as if Federalism were moribund. Fisher Ames wrote, "I fear Federalism will not only die, but all remembrances of it will be lost." Then arose a commercial issue which gave new life to the devitalized party and enabled its leaders to unite the anti-Jefferson forces. With the renewal of war between England and France in 1803, came strenuous effort on the part of each belligerent to drive neutral shipping from the other's ports; consequently the relations between the United States and Great Britain were once more very much strained. Massachusetts merchants, it is true, continued, in spite of heavy losses, to ply their accustomed trade, evading the British restrictions by what was known as the "broken voyage."

In 1805, however, when the ship *Essex,* from Salem, carrying goods from Barcelona, stopped at an American port and proceeded from there to her real destination at Havana, a British Admiralty judge ruled that this was a "continuous voyage," and that this vessel, with its valuable cargo, must be confiscated. Many other ships engaged in this sort of commerce were seized by British cruisers, and the merchants of Boston, in desperation, forwarded memorials to Congress protesting against these outrages. One vessel, the *Indus,* was actually boarded while entering Boston Harbor and condemned on the ground that she was *en route* for a blockaded port. American shipowners, adventurous and willing to take hazards for profit, of course did not abandon their trading speculations. They made money if only one vessel in three landed her cargo; and there were mariners who enjoyed the risk involved. Nevertheless the captures mounted up; and the policy weakened friendship between the Anglo-Saxon peoples.

Another source of irritation was the impressment by the British of seamen from the decks of American vessels. A report presented by Secretary Pickering in 1798 gave a long list of sailors who had been seized, and there were many in-

stances of the same kind of brutality during Jefferson's administration, culminating in the shameful attack by the British ship-of-war *Leopard* on the United States frigate *Chesapeake* in June, 1807, in which twenty-one of the American crew were killed or wounded.

Jefferson promptly ordered all British men-of-war out of our waters and summoned a special session of Congress. A few of the pro-British Essex Junto condoned the insult, but the more patriotic Federalists, headed by Otis, called a town meeting in Boston and demanded speedy action. For the moment a defiance of England was regarded as essential for the preservation of our national honor. The country, however, was not prepared for hostilities, and Jefferson delayed taking vigorous action, in which most of the commercial people would have backed him.

When Bonaparte's Berlin Decree (Nov. 21, 1806) was matched by the British Orders in Council (Nov. 11, 1807), and these, in turn, were followed by the Milan Decree (Dec. 17, 1807), it seemed as if the United States were "between the fell incensed points of mighty opposites." British men-of-war disregarded all the rules of international law, lay outside our harbors and harassed our commerce. As a defiance of neutral rights the British government instructed its naval officers to exercise to the fullest extent the right of impressment of British subjects from neutral vessels.

The Embargo (1807 – 1809)

Jefferson, however, was a man of peace. Before resorting to war, he wished to try the effect of retaliatory commercial measures. Hence, December 18, 1807, he sent a message to Congress urging an Embargo Act. The desired bill was quickly passed and signed, followed by two supplementary enforcement acts; and the Embargo was soon in operation. Naturally its effect was immediately felt in Massachusetts, which in 1807 owned more than one-third of the registered tonnage of the United States engaged in the carrying trade. The bill forbade any American vessel to leave one of our harbors for a foreign port, and placed fishing and coasting boats under bonds not to land a cargo outside of this country.

It must be admitted that the Embargo Act, especially before

the rigid Enforcement Act of January, 1809, was evaded by many devices; and that exportation to other countries was carried on in spite of penalties. It is undeniable also that there was a stimulus to manufacturing which brought about the expansion of established industries and the development of new ones. Nor can it be denied that, despite the illegal capture of vessels and seizure of American citizens on the pretext that they were British sailors, large fortunes were made by some shipowners. Nevertheless, the effects of the Embargo were very prejudicial to New England. Commerce, when it was continued, was conducted with difficulty, and seizures and fines by the customs authorities were frequent. Every person in New England felt the effect of the Embargo, and it produced stagnation and bankruptcy in the coast towns. Ports like Newburyport, Plymouth, and Salem suffered materially, never fully recovering from the interruption to their prosperity.

The Federalists saw in the Embargo Act a blow at the prestige of New England aimed by the arch-enemy, Jefferson. Nearly one hundred Massachusetts towns passed resolutions denouncing the policy of the administration. Once again, under the leadership of Senator Pickering, New England conservatives talked of secession. Harrison Gray Otis, who was no hot-head, approved the plan, and it was favored by Christopher Gore. Albert Gallatin, then Secretary of the Treasury, and formerly a resident of Massachusetts, wrote in December, 1808: "I will only state that it is intended by the Essex Junto to prevail on the Massachusetts legislature, who meet in two or three weeks, to call a convention of the five New England states, to which they will try to add New York; and that something must be done to anticipate and defeat that nefarious plan."

Indeed the situation was growing serious. A Boston town meeting, January 23, 1809, declared that the citizens would not "voluntarily aid or assist in the execution" of the new Enforcement Act. When the General Court convened two days later, it entered at once on a discussion of the Embargo, and the Federalist Party, once the champion of a strong central government, appeared in defense of the rights of the individual states. In a series of resolutions, the Legislature

announced that the Enforcement Act was "unjust, oppressive, and unconstitutional, and not legally binding on the citizens of this state," and declared its willingness to cooperate with other states in procuring amendments to the Constitution which would bring the desired relief. Meanwhile Jefferson, who was being assailed with memorials from Massachusetts towns threatening secession unless the odious bill were repealed, was reluctantly compelled to retreat before the storm which he had raised. As his unfortunate second term closed in 1809, he signed the repeal of the Embargo, conscious that his experiment had failed. It had revived the almost defunct Federalist Party, transforming it into a political organization which was to be, until 1815, antifederal and antinational. It held onto life only by sheer dogged opposition to the younger and more aggressive Republicans.

Election of 1808

So far had the pendulum swung back that members of the Essex Junto actually dared to hope that Charles Cotesworth Pinckney, the Federalist nominee, might be elected President over Madison in 1808. In the Congressional elections of that autumn the eleven Republican members for Massachusetts were reduced to seven. The opposition to the Embargo unquestionably weakened Republican unity, and Gallatin, Jefferson's Secretary of the Treasury, predicted that his party would be turned out. In Massachusetts, conditions were complicated by the fact that Governor James Sullivan was a Jeffersonian, while the General Court was Federalist. No permanent Massachusetts statute established the method of choosing electors; but the General Court, ignoring the Governor, met in November for an adjourned session, disregarded Sullivan's advice that electors be balloted for by the people, and then proceeded to name nineteen Federal electors. Sullivan protested to Congress, but the votes were counted in the Federalist column. Nevertheless, Madison, with 122 votes, had an easy victory over Pinckney, with 47, and George Clinton, with 6. It is interesting to note that in 1808, Massachusetts showed a gain in population less than that of other large states, and was reduced to 19 electoral votes, as com-

pared with 24 for Virginia, 20 for Pennsylvania, and 19 for New York.

Political Fortunes of John Quincy Adams (1803 – 1809)

The Embargo Act was directly responsible for John Quincy Adams's formal transfer of allegiance from the Federalist to the Republican Party. In 1803, Adams, who had returned in 1801 from important diplomatic missions in Europe, was elected United States Senator to succeed Jonathan Mason, a Boston lawyer who was filling out the unexpired term of Benjamin Goodhue. Adams's colleague from Massachusetts was Timothy Pickering, with whom the former could not get along. Chosen as a Federalist, Adams was an independent thinker, who had the courage of his convictions. He was no blind follower of the Essex Junto, the members of which soon ascertained, to their regret, that he could not be counted upon as a "regular."

He indicated his lack of servility by openly condemning, in February, 1806, the British practice of seizing our neutral vessels and impressing seamen from our ships. While he was not eager for war, he had the spirit to protest against these English outrages. When he heard John Lowell, a prominent Federalist, justify the attack of the *Leopard* upon the *Chesapeake,* he burst his bonds. "This," he afterwards said, "was the cause. . . . which alienated me from that day and forever from the councils of the Federal Party."

Not long afterwards, when Senator John Quincy Adams, out of honest conviction, voted for the Embargo, the Federalists exhausted the vocabulary of abuse in describing him.

They soon had their revenge. Adams's term of office as Senator was to expire in 1809. In June, 1808, almost a year before such action was necessary, the General Court chose James Lloyd, Jr., a well-known Boston merchant, as Adams's successor. The insult was so palpable that Adams promptly resigned, and, on the following day, Lloyd was elected to fill the remainder of the term. From that hour Adams was frankly and officially allied with the Republicans. It was a wise decision, for the constructive work of the Federalists was done. It has been said of them that they continued to be

Anglican "when to be Anglican was to be emphatically un-American." Early in Madison's administration, Adams was named as Minister to Russia, in which country he arrived in October, 1809. He spent the next eight years at foreign courts and did not again participate in national politics until he returned in 1817 to be Secretary of State under James Monroe.

Approach of War With England (1809–1812)

During the years immediately preceding the War of 1812, the Federalists maintained their provincial and pro-British attitude. The Erskine Agreement, brought about by the British Minister in Washington in 1809 seemed to settle all difficulties with England, but it was repudiated by the British Government and the old quarrel was revived. A new representative, Francis James Jackson, sent to supersede Erskine (1809), alleged that our government must have known that Erskine had exceeded his instructions. Madison, indignant, dismissed Jackson, who then made a tour of the northern states, where he was welcomed effusively by the Federalists. Arrogant, impudent, and tactless, he did not hesitate to appear on official occasions in Boston. It was Senator Timothy Pickering who, at a public dinner given to Jackson in the Exchange Coffee House, proposed the sentiment, "The World's last hope,—Britain's fast-anchored isle!" Jackson's indiscretion was amazing, but not more so than Pickering's fatuous blindness to the mood of the nation at large.

In spite of the Federalists and without the approval of Massachusetts, the country was slowly drifting into war. When President Madison, affected by Napoleon's trickery in rescinding the Berlin and Milan Decrees, announced that commercial intercourse with Great Britain would again be suspended after February 2, 1811, the Federalists made a last gasp of protest. They openly stated their intention of nullifying this act. But the conflict was not one of embargoes: younger men, of the type of Henry Clay, were guiding the national councils, men who would not tamely endure repeated insults. Even when the resort to arms was almost certain, the Massachusetts General Court declared that it would be inexpedient. After the formal declaration of war,

June 18, 1812, the lower House condemned the action of Congress by a vote of two to one. The historian Barry has estimated that three-fifths of the citizens of Massachusetts were opposed to war. Flags in New England were hoisted at half-mast. The usual memorials were sent in from towns throughout the Commonwealth. Nevertheless the Federalist Party had to yield to the demand of the nation. The state, after all, was linked with the central government and must acquiesce in the policy of Congress. Furthermore, when battles began to be fought, volunteers from Massachusetts were numerous, and Massachusetts men played an important part in winning the war on land and sea.

Difficulties With England (1793 – 1796)

Most of the difficulties with Great Britain arose from the adoption by that sea power of a policy hostile to neutral carrying trade. From the opening of the war, England insisted on confiscating enemy property wherever and however it was found, and on impressing sailors from neutral vessels. The climax came when the British, irritated at the American commerce with the French West Indies, in 1793 issued orders that all neutral ships engaged in this trade should be seized. Hundreds of craft from Salem and Newburyport, peacefully going about what they thought to be legitimate business, were suddenly captured and brought before prize courts, their passengers being often roughly treated. New England merchants suffered heavy losses, protests were raised, and there was even talk of war. On the other hand, always on the horizon loomed the ominous menace of the French Revolution, of Robespierre and Marat and the Reign of Terror. When a choice had to be made, the Federalists, in spite of their anger at the "mother country," stood by England.

The various commercial disputes between England and the United States, joined with the fact that Great Britain had not yet abandoned certain frontier posts and had actually attempted to arouse the Indian tribes against the Americans, led to the negotiation of Jay's Treaty signed in London, November 19, 1794, but not made public until the following July. This treaty was not generally favorable to American interests; and when Senator Mason gave it out, without authorization,

to the press, it was received with alarming demonstrations by the Jeffersonians.

At a meeting held in Faneuil Hall, the venerable Samuel Adams presided, and resolutions were passed denouncing the Treaty as a cowardly surrender of American rights. George Cabot wrote, "Some of our more respectable men...have joined the Jacobins." The leading Federalists, however,—men of the type of Fisher Ames and Stephen Higginson and Harrison Gray Otis,—did not attend, and they soon banded together to endorse the Treaty. The Boston Chamber of Commerce declared in its favor, and conservative sentiment reached the logical conclusion that war with England might ensue and business might suffer unless the agreement, unsatisfactory though it was in many details, were ratified. As Professor Bemis well says, the Treaty "was the price paid by the Federalists for a peace which they believed indispensable to the perpetuation of American nationality."

Triumph of Fisher Ames (1796)

It was Fisher Ames,—who had declared that "democracy is a volcano,"—who added the final dramatic touch to the proceedings. Jay's Treaty was promulgated in February, 1796, both Massachusetts Senators voting for ratification. When a bill was introduced into the House providing the necessary appropriation, Ames, who was in a state of physical collapse, finally managed to reach Philadelphia, a sick and, as he believed, a dying man. A precocious and industrious student at Harvard, he had developed into an able lawyer. Vivacious, cynical, and persuasive, he was the most brilliant orator and engaging personality in the New England Federalist clique. He was also a natural actor, with a melodious voice and a gift for extemporaneous and convincing speech. With pallid cheeks and broken tones, he rose among his colleagues to plead for the Treaty, dwelling with impassioned emphasis on the frightful consequences if it were not carried out, and painting a ghastly picture of the horrors of Indian warfare which might result if the frontier question were not adjusted. As he sank into his seat after a stirring peroration, everybody present was moved; and, when a vote was taken on the follow-

ing day, the House decided, by a majority of three, to make the appropriation.

This was a notable personal triumph for a man who, in his political philosophy, was the very embodiment of New England Federalism. Ames despised the "rabble" and drew his friends entirely from the "upper classes." He was honestly convinced that the best government is that of the "best people." In seventeenth century England he would have been a Cavalier; in eighteenth-century France he would have clung desperately to the *ancien régime*. In the United States he was consistent in his advocacy of a strong central government; and Jefferson to him was the leader of all the powers of evil. Seldom thereafter was Ames able to participate in party struggles. Failing health kept him out of public life, and he was even obliged to decline the proffered presidency of Harvard College. He died in 1808, at the early age of fifty.

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CHATPER XV

MASSACHUSETTS STATE GOVERNMENT (1789 – 1820)

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Political Concentrations (1789 – 1812)

With the defeat of the Shays Rebellion in 1787 and the ratification of the new national Constitution in 1788, Massachusetts was placed definitely in the stream of conservatism and nationalism which was flowing over nearly the entire area of the new nation. How narrow the victory had been, has already been described in these pages. That the issues might easily have been determined the other way is signified by the fact that they actually were so decided in the neighboring State of Rhode Island. There the paper-money party, which in Massachusetts went down with Shays, was actually putting its program into legislation when the question arose of the ratification of the Federal Constitution. Nothing but the threat of the United States to treat it as a foreign nation could induce Rhode Island to ratify.

The adoption of the new and more nationalistic Constitution did not immediately dissolve all the old antagonisms among the States or within the States; and the history of our country is concerned largely with those antagonisms. In the period dealt with in this chapter, conflicting sectional interests in the United States gave rise to the question of State rights within the Union. On the other hand, interests which were internal within the States resulted in the gradual development of political parties, dividing on national issues.

This result is illustrated in Massachusetts. In the beginning of the new national government, during the administrations of Washington and Adams, the State was on the side of nationalism and put forth arguments accordingly, in refutation of the Virginia and Kentucky Resolutions of 1798 and 1799.

Later, when the national government was in the hands of southern and agricultural interests, commercial New England took its stand for State rights, and once went to the extent of publicly claiming the right of secession. The arguments and theories evolved at that time were amazingly at variance with those urged a few years before.

Within the State of Massachusetts internal differences of interest slowly produced definite political parties. The old Tory and Whig division had long before disappeared with the expulsion from the country of the conservatives, who in many instances lost their property by confiscation. Also, with the downfall of the Shays movement of 1786, distinction between the commercial seaboard and the agricultural interior was gradually diminished. That result was hastened by the emigration to Vermont and elsewhere of many hundreds of the discontented elements who had made possible the Shays Rebellion.

In the meanwhile three parties developed in Massachusetts, or rather, three factions; for the political machinery which is usually associated with a political party was lacking. Its place was taken by personal leadership, over one group by Hancock; over another by Bowdoin; and over the third by James Warren and Elbridge Gerry. Hancock's party was dominant so long as he lived; but it went to pieces a few years after his death. Bowdoin's group became the Federalist Party; while the Warren-Gerry faction developed into the Republican or Democratic Party in Massachusetts.

Summary of State Political Parties (1783 – 1824)

The Hancock group had no particular characterization. Its leader, although himself rich, did not appeal so much to people of his own class as he did to the general run of the population. He was a skillful politician, with the means and the willingness to keep himself before the public. He distributed with care the patronage at his disposal, chiefly petty judgeships. He had an astute judgment which few politicians possess; it told him when to withdraw as well as when to assert himself. It was this foresight which led him to resign when he saw the Shays Rebellion approaching, and thus to escape the unpopularity which was certain to attach to the Governor, whichever side

he chose. Bowdoin stepped into the breach and put down the rebellion. This courageous action killed him politically, and Hancock was enabled to come back into the office, which he thereupon held until his death in 1793.

Hancock's greatest asset, however, was the reputation for patriotism which he had acquired, rightfully or wrongfully, during the Revolution. After his death this same memory of past patriotic services enabled the old Hancock party to put Samuel Adams into office for a few years. His reputation for patriotism was unquestionably deserved; nevertheless he had neither the wealth nor the political skill of Hancock, and his faction speedily ceased to exist.

Early in the Revolution appeared a more conservative element which eventually found means of common action through the Federalist Party. The leadership of this party was chiefly in the "Essex Junto," a group of some twenty men chiefly of the mercantile class in the county of Essex. The principal voting strength of the party, however, lay in the central part of the State, known as "Old Hampshire." This section had been settled shortly after the seacoast in the Puritan days; and now, with the drawing off of the elements which had supported Shays, it became extremely conservative. It was the last section of the State to give up Federalism, although it furnished but few of the leaders of that party.

The Republican party was of slower growth in Massachusetts. This was the name adopted by those who supported Jefferson, although the designation "Democratic," which a great national party uses to this day, was coming pretty generally into vogue by the time of the War of 1812. The parts of the State in which this party was strongest seem to have been those into which there was the greatest influx of population. This is difficult to prove, however, since accurate population statistics were not kept in those days. The election returns indicate that Middlesex and Norfolk counties in the east, Berkshire county in the west, and the district of Maine were the regions where the Republican votes were largest.

The Massachusetts representatives in the national government were mostly Federalist for twenty years after the adoption of the new Constitution in 1789. The Hancockian Party, after an attempt to make its leader President, which

never had the slightest chance of success, confined its activities to State politics. It was not until 1797 that the Federalists were able to capture the governorship. They kept it for ten years and then lost it to the Republicans until the eve of the War of 1812. During this period the Federalists were in the majority in southern New England. After the War of 1812 the Federalist Party found itself out of tune with the new rival forces of nationalism and democracy. In 1814 the national Federalist party lost the important elections in New York, and could not hold either of the New England States of New Hampshire or Vermont. Nor would these States send delegations to the Hartford Convention of 1814. At that time only four States in the Union were Federalist. After the war, the party died almost immediately in Rhode Island, and lingered only a little longer in Connecticut and Delaware. In Massachusetts, however, chiefly due to the large majorities rolled up in the Connecticut Valley section of the State, Federalist governors were elected until 1823. The defeat of the State ticket in the election of 1824 ended the existence of the Federalist Party as an organization in Massachusetts, its last stronghold.

Electoral and Political Methods (1780 – 1820)

The party and political history of Massachusetts can be understood only when the obligations and inhibitions of the State Constitution of 1780 on elections are kept in mind. From 1780 to 1820, and beyond, State elections for governor, lieutenant governor, and senators took place annually in town meetings held the first Monday in April. For the House the choice need not be on the same day, if made at least ten days previous to the last Wednesday in May. The votes for the legislature were counted in the first instance by the governor and council, although the legislature itself had final decision. The legislature of which the membership was confirmed thus counted the returns from the various town clerks for governor and lieutenant governor. In reviewing both the original votes and the town clerks' returns there was abundant opportunity for ambiguity and hence for political juggling by the legislature. Majority votes were required; and if not obtained, the elections were thrown into the legislature under complicated

rules as to candidates who had received a certain number of votes in the original election.

Representation in the House was by towns, each town having at least one representative. Towns containing over 150 "rateable polls" were entitled to an additional representative for each 250 over the 150. All the representatives, even in Boston, were elected by the town meeting on a general ticket. This fact made the "Boston seat" important since winners there obtained a large block of votes, and Boston elected Federalist representatives every year from 1801 to 1824 inclusive.

The towns had to pay their own representatives, which accounts for the frequent refusal of the small towns to elect in years when they were not much interested in matters before the legislature. Travel expense, however, was paid by the State.

The senatorial districts were set up and bounded by the legislature. The constitution permitted the General Court to make and determine and alter the senatorial districts. Although not the law, it became the custom for no senatorial district to cross a county line, and it was the violation of this custom by the Democrats which later on led to the controversy over the gerrymander in 1812. The State constitution also permitted the legislature to create group districts entitled to more than one senator, not to exceed six.

The new government regularly took office on the last Wednesday in May, and this "General Election" was always made much of in Boston. Although the legislature met in May, most of the important business was put over until the winter session.

The governor's message at the opening of the legislative session was until 1825 replied to by each of the houses. In the years when one or both branches of the legislature were of a different political complexion from that of the governor, these replies were often lively, and to this day they constitute some of our best sources for the study of Federalist or Republican political philosophy.

Nominating methods were not prescribed. At first political slates were advertised in the newspapers as having been made up by the recognized leaders of the party. For the Federalists

Original by Copley Courtesy of the Museum of Fine Arts, Boston

JOHN HANCOCK

this group was the Essex Junto. Later use was made of the caucus, a meeting of the party members in the legislature, to whom were often added prominent members of the party from outside.

After defeat in the national campaign in 1800, the Federalists in Massachusetts developed an efficient but complicated party organization, which was so deep underground that it was not known until recently disclosed by Morison in his life of Harrison Gray Otis. By a process of selection through the legislative caucus, extralegal committees were set up for the various kinds of districts in which elective officers were chosen.

The principal administrative control was in a "Central Committee of the State" consisting of seven men, usually all Bostonians. As in our own time, such committees frequently were able to control the nominations made by the primaries or conventions. In the system inaugurated by the Federalists there was no popular control of nominations except in the one instance of the Boston ward committees which were chosen by ward caucuses. Presumably it was this arrangement which gave the so-called "Middling Interest" its opportunity to revolt against the leadership of the Federalist party in its declining years. On the whole the Federalist system of party control was designed in accordance with the Federalist philosophy, that power properly belonged in the hands of the leaders.

John Hancock as Governor (1787 – 1793)

The adoption of the new Federal Constitution which went into effect in 1789 made no immediate difference to the State governments. At the time, John Hancock had already been twice elected governor and he continued to receive the annual suffrage of a majority until his death in office in 1793.

As will be deduced from what has already been said, Hancock was an opportunist in politics. The administrations of such men are not likely to produce critical results, unless affairs over which they exercise but little control intervene to disturb them. Hancock had lived through stirring times and there is much in his experience and services for the historian's attention; but so far as the public affairs of the State of Massachusetts were concerned, there is little of importance

to record during the last four years of his life. In his private life, the Governor was afflicted through all these years with a painful illness which eventually resulted in his death.

Among the events which evidently affected Massachusetts at this time was the establishment of the Federal Constitution. The connection of Massachusetts with that great event is elsewhere described in detail. An immediate effect was the stability in the securities of the national government which helped to reestablish commercial prosperity. Two new counties in the Maine District were set up; one named for the Governor and the other for President Washington.

Taxes were high in Massachusetts in spite of the assumption of the State debts by the Federal government; for large accumulations of former years were still unpaid. The sale of Maine lands affording no relief, recourse was had by the legislature to a lottery for the raising of £10,000. Although this device for obtaining money was much used in those days and for over a half century later even by churches and colleges, Hancock disapproved of it; and it seems to have been through his influence that the legislature did not continue this method of raising funds.

The old law against theatrical entertainments had long been a dead letter. In December, 1791, a play was stopped by the sheriff and the principal actor arrested. At the examination the next day in Faneuil Hall was presented a special order for the arrest, signed by the governor. The attorney for the defense—no other than Harrison Gray Otis—objected that it had been issued without complaint being made upon oath. With this view the justices agreed, and they discharged the prisoner. Quite a popular controversy followed, but majority opinion seems to have been against the governor, for the legislature repealed the law a year later.

A new law of the Sabbath was enacted in an attempt to curb laxity which had followed the war. Although not as severe as the old colonial statutes, it did prohibit traveling and recreation on the Sabbath Day. This law, however, seems to have been about as effective as have the attempts of later times to enforce other moral codes.

Effect of the French Revolution (1789 – 1794)

The French Revolution, which broke out in 1789, was at first received with tremendous enthusiasm in America, Massachusetts being in no degree behindhand. Their own struggle for liberty was not far removed; Americans could but throb with sympathy for the efforts of others towards the same glorious end. January 24, 1793, was declared a holiday in Boston in celebration of the news from France that a Republic was established.

The day opened with a cannon salute. A parade led by a band with the citizens marching eight abreast was escort to a huge roasted ox. In spite of the season of the year tables were set out of doors in State Street for a banquet at which even the little children received cakes with these words upon them, "Liberty and Equality". At two o'clock there was another parade, followed by a banquet at Faneuil Hall for the more aristocratic, at which Lieutenant Governor Adams presided. In the evening the State House was illuminated and there were fire works and bonfires. Enthusiasm went to fantastic lengths when everyone, including the Lieutenant Governor, was addressed as "Citizen" and a purse was raised to release those imprisoned for debt in the town jail that they might "again breathe the air of liberty". Even the Phi Beta Kappa at Harvard fell under condemnation as being contrary to the principle of democracy.

Before long all this was changed, at least so far as the Federalists were concerned. Both John Adams and John Quincy Adams opposed the French revolution in pamphlets issued under the titles "Discourses on Davila" and "Essays of Publicola". The early ardor of the more conservative part of the population was cooled by the Genet incident of 1793, Washington's insistence on neutrality, the rejection of religion by the French, the execution of Louis XVI who had aided America in her own Revolution,—above all by the excesses of the Terror.

In the meantime Massachusetts had particular reasons for developing an anti-French feeling. When a French frigate sailed into Boston harbor with a "blacklist" attached to its mainmast of eleven names of prominent Boston citizens

accused of not being too well disposed to the Revolution, it was felt to be an unwarrantable interference in the domestic affairs of the town. This same frigate afterwards attempted to prevent the execution of decrees of the United States Circuit Court enforcing the neutrality laws against some French privateers which had come into the harbor. President Washington felt obliged to vacate the exequatur of the French Vice Consul at Boston. The foreigner's successor had the temerity to write a letter of protest to Governor Samuel Adams.

Among the Democrats, enthusiasm for the French cause remained unabated. "Jacobin Clubs" were formed, including one in Boston which took the name "Constitutional Club." The Federalist paper, the *Centinel,* continually denounced this club, and charges and counter charges of falsehood were exchanged between it and its Democratic rival sheet, the *Chronicle.*

New England Puritanism manifested its influence by driving the clergy into the Federalist camp when the French Revolutionists developed atheism. Sermons on the subject led the Democrats to resent the participation of the pulpit in politics, but the Federalists could find an effective retort in charging their opponents with atheism.

The Jay Treaty (1794 – 1796)

Party animosity was at its height when the Jay Treaty added fuel to the flames. Everywhere the Massachusetts Democrats claimed that they were "sold out" to England. In Boston on the night of September 4, 1794, a mob paraded in opposition to the treaty. As it passed his house Governor Adams is said to have bowed and smiled his approval. Jay's effigy was burned, the house of a Federalist editor attacked, and a bonfire kindled. One person was wounded; and finally the sheriff ordered the mob to disperse. Upon its refusal to do so, the sheriff applied to the governor for assistance; but Adams would not give it, declaring the mob was "only a watermelon frolic."

All of this was very alarming to the propertied class, some of whom left the city. Fisher Ames complained of the "blindness and gullibility of the rich men who so readily lend

their strength to the party which is thirsting for the contents of their iron chests." Two years later, however, the growing strength of Federalism is indicated by the memorials sent by the Massachusetts town meetings to the national House of Representatives, favoring the treaty in the face of the movement in that body to refuse to make the appropriations necessary to carry it into effect. In that struggle at the seat of the national government, Fisher Ames was the most unyielding and convincing member of the House of Representatives in favor of a treaty and peace with England.

Samuel Adams as Governor (1793 – 1797)

Upon the death of Hancock, Samuel Adams as lieutenant governor succeeded. In accordance with the custom of the times, his full designation was "Lieutenant-Governor and Commander-in-chief of the Commonwealth of Massachusetts." At this time Adams was 71 years old. In the election the next April, he was elected governor over William Cushing, the candidate of the Federalists. Cushing had been chief justice in the old royalist regime under Governor Hutchinson, but was the only one of the administrative office holders to take the patriot side at the opening of the Revolution.

The advanced age of Adams was used against him, while his former Tory connections, even although prewar, were brought up against Judge Cushing. Cushing also was charged with having at one time rendered a decision in favor of the right of an individual to sue a State in the Federal courts. The victory of Adams was overwhelming.

The next year (1795) Adams was again elected by a large majority. Scurrilous writings against him were circulated, which many years later distressed Wells, his grandson and biographer. Considering the character of the language used in political campaigns at the time, "scurrility" does not seem significant. In this campaign the Reverend David Osgood of Medford, an ardent Federalist, preached sermons against the governor. The pulpit of the times by no means confined itself to religion and morals; but perhaps was no more effective than the violent campaign literature of the times. Then, as now, an especially strong article aroused the enthusiasm of a man's

enemies, and also had a boomerang effect in calling his friends to his defence.

In 1796 Increase Sumner was the Federalist candidate against Adams. In Boston, Adams led by 1614 to 848; and in the State at large he won again by a good vote, although some of the western counties were for Sumner. Among the arguments used against Adams was his old hostility to Hancock, although these two old friends had made up long before the latter's death. Whether the out and out sympathy of Adams for France hurt him or helped him we cannot know. His refusal to call out the militia at the time of the riot, referred to above, which he termed "a mere watermelon frolic," could not have increased his popularity, at least with the propertied class.

That there was no particular bitterness between the two candidates is indicated by an extract from a letter of Sumner's two years before in connection with the election of that year. "Entre nous," he says, "some gentlemen have proposed to me to stand for the first magistracy of our State; but many weighty reasons prompted me to decline that too high and arduous task. There is our good Lieutenant Governor, who stands in the direct line of promotion, and who has waded through a sea of political troubles and grown old in labors for the good of his country. Why not he!"

For the election of 1797 Adams declined to run, giving as his reason in an address to the legislature "the infirmities of age." It seems probable, however, that someone was aware that it was no longer possible to hold off the long overdue Federalist victory in the State government.

Little of importance occurred in State affairs during Adams's administration. His first message to the legislature was taken up almost entirely with an exposition of the relation of the Federal government and the States, in which he advocated that neither encroach upon the powers of the other. All of his other messages while he remained in the governorship had this for their burden; although at no time did Adams make any concrete applications of his theory. He was living in the past.

Much of Governor Samuel Adams's messages as governor were taken up with the European War situation. In this he was hardly consistent, since foreign relations were according

to the new Constitution clearly allocated to the national government. In those days, however, the governors of all the States habitually discussed the topics of prevailing political interest to the people whether or not strictly relating to the State. The entire realm of government had been too long matter for the consideration of the States for them to become accustomed so soon to giving up any portion of it.

Massachusetts During the Quasi-War With France (1798 – 1800)

For the next two years after Samuel Adams retired in 1797, Increase Sumner was governor. Compared with his two immediate predecessors, Sumner was a young man, being in his fifties. The story is told that at the time he passed into the State House upon his inauguration, an old apple-woman who kept her stand there was heard to exclaim, "Thank God, we have got a Governor that can walk, at last." Sumner brought back to the office that ceremonial which gouty Hancock had loved but which Adams cared nothing about.

Especially was Governor Sumner interested in the military. As his administrations coincided with the quasi-war with France which threatened to lead to a formal declaration of war, it was just as well to have in the governor's chair a man who would stress preparedness. He was fond of donning military uniform, which he considered appropriate in his capacity as the constitutional commander-in-chief, and of reviewing troops. Of more practical importance were his efforts, for the most part successful, to increase the military supplies and the number of arsenals throughout the State.

Party Alignments Over the Virginia and Kentucky Resolutions (1798 – 1799)

The nation-wide controversy over the Alien and Sedition Laws, and the Virginia and Kentucky Resolutions which followed them, provoked as much interest in Massachusetts as anywhere. While each of the contending sides followed the positions taken by their party members in the national Congress, nevertheless certain principles were developed as to the relation between the States and the Union, and as to the rights of the people under the national government.

It will be remembered that the Federalist majority in Congress had passed the so-called Alien and Sedition Acts, attempting to meet the pro-French and anti-Federalist agitation throughout the country. These laws increased the period of residence necessary for naturalization from five to fourteen years; gave the President permission to deport any alien; and provided for the arrest and punishment of those making libellous statements against officers of the government.

Against these statutes the Republican legislatures of Virginia and Kentucky passed resolutions denying their constitutionality and claiming a right of nullification. As Virginia put it: "In cases of a deliberate, palpable, and dangerous exercise of . . . powers, not granted by the . . . compact [the Constitution], the states, who are parties thereto, have the right and are in duty bound, to interpose, for arresting the progress of the evil, and for maintaining within their respective limits, the authorities, rights and liberties appertaining to them." These resolutions were sent to the legislatures of all the States and reached Massachusetts in January, 1799.

A joint committee was set up of three from the State Senate and four from the House. As it was composed entirely of Federalists there was no danger of a minority report. Nevertheless, the Republicans presented their side in the debates on the floors of the two houses and in the columns of the Republican newspaper, the *Chronicle*.

Two questions were involved: the constitutionality of the Alien and Sedition Acts; and the right of a legislature to pass upon the constitutionality of an act of the national Congress. The report of the committee declared that "the decision of all cases, in law and equity, arising under the Constitution of the United States, and the construction of all laws made in pursuance thereof, are exclusively vested by the people in the Judicial Courts of the United States." Nevertheless, within a few years this doctrine opposing State nullification was flatly repudiated by the Federalists of Massachusetts, both in theory and in practice, when the controversies arose over the policies of the Republican administrations in connection with the embargo and the War of 1812. The Federalist Party was of course entirely inconsistent in its right-about-face on the State rights issue; but as in all such attempts to apply a general principle to specific cases, people consider the self-

interests of the moment and are concerned only with whether it is their ox which is being gored or the ox of somebody else.

In the debates in the legislature, the Federalist arguments were superficial, perhaps because their party had the votes and therefore did not need the arguments. One Federalist objector made the undeniable point that, if the State legislature was not the proper organ to pass upon the constitutionality of acts of Congress, then the logical thing to do was to ignore the whole matter. To this, John Lowell, the Federalist leader in the House, replied that the report could be considered as an expression of the individual opinions of the members; and that to ignore the matter altogether would appear to be consenting to the Virginia and Kentucky Resolutions.

On the Republican side, John Bacon of Berkshire, the sole member of that party in the Senate, argued the usual Republican points against the constitutionality of the Alien and Sedition Laws. In the House, Dr. Aaron Hill of Cambridge pronounced the State rights doctrine: "While the individual States retain any portion of their sovereignty, they must have the right to judge of any infringement made on their Constitutions, for if the right is transferred exclusively to Congress, or to any department of the General Government, no vestige of sovereignty can remain to the individual States, but they become a consolidated instead of a Federal Government." If the leaders of the South from 1828 to 1861 had only gone to the New England Republicans of 1798, or the New England Federalists of 1807 to 1814, they would have found plenty of arguments in defence of their theories of the nature of the union.

Freedom of Speech Under A Federalist Judge (1799)

The action of the Massachusetts legislature, paralleled in other Federalist States, was an abstract statement of political doctrine. The specific trial of Abijah Adams was a concrete application of the doctrine. It was one of the striking instances of Federal tyranny occurring in different parts of the country at this time; and it goes a long way in explaining the defeat of the Federalists in the national elections the following year.

Abijah Adams was the younger brother of the editor and proprietor of the Republican paper, the *Chronicle,* and was employed in the office. The *Chronicle* as a matter of party principle opposed the attitude of the legislature on the Virginia and Kentucky Resolutions; whereupon the grand jury brought an indictment against the two Adamses on the ground of libel. The elder brother was not prosecuted, however, since he was too ill to stand trial. In calling the attention of the grand jury to the matter, Chief Justice Dana remarked that he had obtained a copy of the paper by accident, claiming that if he were a subscriber "his conscience would charge him with assisting a traitorous enmity to the Government of his country." In spite of this expression of bias, under the judicial system then prevailing in Massachusetts he presided at the trial.

The indictment charged the defendant with libel upon the General Court of Massachusetts; and the prosecution depended on the common law for its basis. The case was entirely a State affair, being in no way connected, at least in law, with the recent Sedition Act of the national government. The defense denied the possibility of a libel against a government and also stood for the freedom of the press. They denied Blackstone's doctrine that liberty of the press consists only of freedom from restraint prior to publication. This the defence declared to be unsuited to the spirit of American institutions, especially since the Revolution. In support of this construction the defence offered to read from John Adams's Revolutionary pamphlets; which the judge would not allow. The jury returned a verdict of guilty, and the defendant was sentenced to thirty days in jail with payment of costs; and was bound over in five hundred dollars to keep the peace for a year. In modern American law this whole case would constitute a most flagrant violation of freedom of the press.

Administration of Governor Sumner (1797 – 1799)

Federalism increased in strength from the middle of the last decade of the Eighteenth Century down into the next decade; but the political issues were national rather than local. Even while Boston was voting for Hancock and Samuel Adams for the governorship, it was sending Fisher Ames to Congress. The conservative influence of the clergy was great.

Original by Harding after Stuart

Courtesy of Massachusetts Historical Society

CALEB STRONG

Both Massachusetts Senators voted for the Jay Treaty in 1794. Governor Samuel Adams was criticized for his French partisanship. The electoral votes not only of Massachusetts but of all New England went to John Adams both in 1796 and 1800. In the gubernatorial election of 1796 several Republican counties gave their votes to Increase Sumner, the Federalist candidate, but the personal popularity of Samuel Adams pulled him through.

In 1797, however, Sumner won and he was elected thereafter until his death in 1799. Indeed his last inaugural oath was taken on his death bed but a few days before he passed away. He was succeeded by Moses Gill, the lieutenant governor. As a result of his death on May 20, 1800, the State for the first and only time in its history was without either a governor or lieutenant governor. For ten days the Council functioned as the executive until the inauguration of Governor Strong.

Administration of Governor Strong (1800 – 1807)

It is difficult to get at the character of public men of the times because of the extremely laudatory style of the contemporary biographies. Caleb Strong seems to have been a solid man, conservative but not too much so, quite representative of the better Federalism in the State, but not as extreme as the most radical of the Essex Junto.

The second most prominent Federalist during these years was Harrison Gray Otis, who at this time left the national Congress for the field of State politics, a not unusual transfer in the early history of the republic. For fifteen years from 1802 he was alternately in the House or Senate. In 1804-1805 he was Speaker of the House, and in 1805-1806 and again in 1808-1811 president of the Senate. Yet he was not *persona grata* with the Essex Junto, because while in Congress he refused to take part in the secret conspiracy against President Adams from inside the Federalist Party which was led by Timothy Pickering.

During Strong's terms as governor some reforms were enacted in criminal and judicial procedure. The penitentiary system was begun in 1802, and restrictions were made in the application of capital punishment. The judicial system was

clumsy and complicated; there were more judges than was necessary, yet the circuits were so poorly arranged that there was unequal division of labor, and justice was slow and expensive. The bar opposed reform because the lawyers were profiting from the conditions. The bench, however, favored a change and during 1803, 1804, and 1805 acts were put through the legislature rearranging jurisdiction and the circuits.

Decline of Federalism (1803 – 1807)

During all this time the radical Federalists were continuing their machinations. By 1804 their plans, under the leadership of Pickering, actually reached the point of discussing secession. These were secret proposals, however, and nothing came of them. Besides the Essex Junto the Connecticut Federalists were active; and over in New York the discontented Burr became the leader. He was eliminated, however, when Hamilton aided in defeating him for the governorship. No information on this plot came to light until 1828, when John Quincy Adams, hearing of it by accident, used it against Otis, his political enemy, and his friends. These denied any knowledge of it, and the probability of their innocence was strengthened by the fact that Otis and his friends were not liked by the Pickering wing of the party. Adams later admitted that Otis probably knew nothing of the plans of the Essex Junto. The whole episode was not laid bare until disclosed in the Plumer correspondence published in 1857.

In the meantime extreme Federalism was steadily losing ground through the increasing prosperity of New England. This in turn was due to the resumption of the European War after the failure of the Peace of Amiens in 1803, and the consequent dependence upon Yankee ships for overseas cargo and for commerce between European ports. It was but natural, therefore, that New England should slowly turn to the party predominant in the nation. In 1806 the Republicans (later Democrats) captured the legislature, which thereupon attempted to steal the governorship from Strong. It was the law at the time that the legislature should be the final election returning board. As such it always canvassed the votes as its first duty after convening, and from its decisions there was

no appeal. In this instance the legislature attempted to reject ballots in which Strong's name had been mispelled, it being long before the days of printed ballots. The fear of public opinion, however, prevented the opposition from carrying their plan to consummation. The next year, 1807, there was no call for trickery, as the returns gave the Republicans control of all the branches. Connecticut was the only Federalist State at this time; and it seems probable that the party would have died a natural death if the embargo policy of the administration had not restored it to life.

The Embargo and Massachusetts Politics (1807 – 1810)

The reaction of Massachusetts to the national embargo act passed in December, 1807, was reflected in the State election of April, 1808. The Federalists recaptured the legislature although not the governorship. This result seems to have been due to the personalities of the rival candidates. The Federalists, instead of nominating either Strong or Otis, put up Gore, who was rich, fond of display, and formal in his manner. Moreover, his father had been a refugee Tory, he had resided for many years in England, and he held religious views altogether too liberal for Congregational New England. He could not win against Sullivan, a popular old Revolutionary hero, who had the prestige of having already defeated Caleb Strong in the previous year. Even with all these advantages, Sullivan pulled out with a majority reduced to 619 in a total vote of 81,147.

The renewed strength of Federalism also manifested itself in the Presidential election in the fall of 1808. Although the State had gone the other way four years previously, it now returned Federalist electors. To be sure, the Federalist legislature, which in 1804 had granted to the people the right of choosing the electors, now resumed the method of electing them itself. Nevertheless, there is no probability that this changed the result.

Jefferson's embargo policy had one result in throwing together for the time being Federalists of such different attitudes as Pickering, Otis and Samuel Dexter. Only J. Q. Adams remained outside the fold. He supported the embargo bill in the national Senate, and therefore his resignation was

asked for by the legislature in 1808. Throughout the year and in 1809 agitation went on among Federalists for a convention of protest, but nothing came of it beyond resolutions in the town meetings and the legislature. That these were effective in producing the more moderate substitutes for the embargo which now followed is expressed in the famous words of President Jefferson: "I felt the foundation of the government shaken under my feet by the New England townships."

The non-intercourse policy substituted for embargo in 1809 revived prosperity in Massachusetts for the time being, with the result that the Democrats won the two elections of 1810 and 1811, with Elbridge Gerry as their gubernatorial candidate. In 1812 the Federalists came back with Caleb Strong and succeeded in retaining the governorship until 1823.

The Democrats Under Elbridge Gerry (1800–1813)

Of the Democratic or Republican leaders in Massachusetts, Elbridge Gerry was the most prominent. He was good candidate material, a man of wealth and respectability. Likewise he drew support from the moderate Federalists because of his friendship with John Adams, for whom he had voted as an elector and by whom he had been appointed on a diplomatic mission to France. Although a candidate in various years from 1800 on, it was not until 1810 that Gerry won both the nomination and the election as governor.

The coming of war with England would probably have resulted under any circumstances in shortening the term of the Republicans. Yet the party itself in the State contributed to this result by the shortsighted methods by which it hoped to maintain itself in power. Most famous of these devices was "the gerrymander." It was nothing new, except the name. The reshaping of district lines so as to place large numbers of the opposition in one district which they could surely carry, and thereby subtracting their minority strength from several other districts, is a device probably as old as the representative system itself. The name was now coined to apply to a State senatorial district in Essex County, as set up by the Democrats in February, 1812. While there is some doubt as to who actually invented the word, there seems to

From an original

Courtesy of Massachusetts Historical Society

THE GERRY-MANDER. A NEW SPECIES OF MONSTER WHICH APPEARED IN ESSEX SOUTH DISTRICT IN JANUARY, 1812

be none that it grew out of the salamander shaped outline of the outer Essex district as it appeared on the map.

Essex was not the only county to which the Democratic measure applied. The entire State was redistricted with such effectiveness that in the election of April, 1812, 29 of their candidates to the State senate were elected as against only 11 Federalists, while the popular vote for these 29 senators was only 50,164 against 51,766 for the Federalist candidates. The next year the Federalists won back the legislature and abolished Gerry's gerrymander. It was the opinion of Gerry's biographer that the Democrats would have shown more political wisdom if they had been content with fewer seats, yet enough to have given them sufficient control. They then could have built up margins in the necessary number of districts, which might not have been wiped out with the revived increase of Federalism. The rising tide of New England opposition to the war with England could result in nothing but disaster.

Attitude of Massachusetts During the War of 1812 (1811–1815)

We have already seen how Federalism, nearly extinct about 1807, was revived by New England's opposition to the embargo policy of the Republican administration, only to lose ground again when the more moderate non-intercourse program was substituted. The coming of war against England in 1812 again resuscitated the Federal Party in Massachusetts. In that year it captured all of the New England State governments as well as that of Delaware; and it was also strong in New York. Immediately after the war Connecticut and Rhode Island succumbed; but Massachusetts Federalism survived much longer.

Much was made in later years of alleged New England "treason" in the War of 1812. The twentieth-century economic theory of history to some extent has supplanted the old notion of national or sectional "morality" or "guilt." In weighing the responsibility of New England at that epoch, the political and commercial conditions must be taken into account. Evidently the issue of obligation of the States to the Union was a question which only time and destiny could

determine. The Constitutional Convention of 1787 had avoided this question. As set forth elsewhere in this chapter, protests at national action, accompanied by threatened nullification if not secession, occurred in both North and South. The question of State allegiance to the Union was finally settled at Appomattox by superior force of arms. Even in the twentieth century we have seen spasmodic recurrences of particularism when the Texas Rangers threatened war against Mexicans, California irritated Japan, and Rhode Island provided by legislative resolution and appropriation for a suit by its attorney-general as to the legality of a Federal Constitutional amendment.

It must never be forgotten that Massachusetts and the remainder of New England were facing a real emergency. The commerce which had been the principal and lucrative business of New England had been destroyed by embargo and war. The paralysis of shipping was already directing the capitalists of Massachusetts toward that manufacturing business which has ever since distinguished New England; but this new future was as yet too far away to be realized. In addition, the national taxes were high, for the war greatly increased the national debt. The national government was about to adopt the unusual method of a direct tax. The State government too was almost bankrupt. The militia question, which has been treated elsewhere in this volume, remained acute. From a military standpoint the War of 1812 had been little else but one continuous failure. The Army had been miserably managed; all of the invasions of Canada had been repulsed; the capitol building at Washington had been burned; northern New York had been invaded, and New Orleans soon would be; while Maine, a part of Massachusetts, was lost to the enemy, perhaps permanently. The British fleet was blockading the American coast, thus putting an end to those naval victories which had been the redeeming feature of the conduct of the war by the Americans. Invasion of southern New England seemed imminent, and already frantic efforts at construction of defences had been undertaken by the citizenry at the coastal cities from Boston down; while local forces to repel invasion had been authorized by the legislatures of Massachusetts and Rhode Island.

That the New England leaders were sincere cannot be doubted by anyone who reads their letters. At the time they were fantastically accused of being office seekers who sought to create a new government since they could not obtain political positions in the existing administration. We must remember the vituperative character of the political language of the times. A few years later when, in the North at least, patriotism came to be identified as applying to the nation rather than to the States, the leaders of 1812 could not escape condemnation, especially from their former followers who were anxious to cover their own tracks. The Federalist leaders "guessed wrong" as to the future, and have been loaded with obloquy ever since. Such is the penalty of those who "guess wrong." The worse that can be said of them is that they were not statesmen, if a statesman is to be defined as one who successfully copes with the future.

It must not be overlooked that there remained in New England some support of the national administration even while the war was on. There was not much of this in Connecticut; but in Rhode Island the Republicans remained strong. In Vermont and New Hampshire, Republican victories in the legislatures made it impossible in 1814 for those States to elect official delegates to the Hartford Convention.

In Massachusetts the loss of Elbridge Gerry was a severe blow to his party. He was elected Vice President of the United States in 1812, went to Washington in 1813, and there he died a few months later. It seemed to the State Republicans the part of political expediency to make a bid for the moderate Federalist vote, and therefore Samuel Dexter became unavailingly their candidate for governor against Caleb Strong.

From the beginning, New England opposition to the war always pointed toward a New England convention of protest. By October, 1814, the conditions outlined above were so acute that Governor Strong called the legislature into special session; and it issued invitations to the Hartford Convention of December, 1814, which were accepted by the governments of Rhode Island and Connecticut.

The convention method was the accustomed procedure of the times for dealing with political emergencies. It had been used all through the years which led up to the Revolution. Most of the State governments had been established by conventions. In a later time the Southern Confederacy carried through secession by means of conventions. To this day conventions are usual to revise the State constitutions. The ordinary acceptance of this method probably accounts for the lack of Federalist argument in defence of their convention, although the Democrats opposed it as contrary to the principle of a written constitution.

Protest Against Louisiana (1813)

The principal point of difference between Massachusetts and the national government in this period was the militia question, which is treated elsewhere in this volume. Massachusetts, however, felt as a grievance the recent creation of the State of Louisiana out of the territory bought from France ten years previously, which involved an interesting Constitutional question. The State senate organized a Committee on Extension of Territorial Limits and appointed as chairman Josiah Quincy, a former member of the national House of Representatives, where he made the famous and oft quoted declaration against the admission of Louisiana as a State: "If this bill passes, it is my deliberate opinion that it is virtually a dissolution of this Union; that it will free the States from their moral obligation; and, as it will be the right of all, so it will be the duty of some, definitely to prepare for a separation, amicably if they can, violently if they must."

In its report, rendered June 16, 1813, this committee declared that the power to form new States out of territory not within the United States in 1783 "is, in truth, nothing less than the power to create in foreign countries new political sovereignties, and to divest the old United States of a portion of their political sovereignty, in favor of such foreigner." The committee was persuaded that the people of the United States had never delegated this power and "certainly, the people of Massachusetts never did delegate." Resolutions were submitted to the effect that "the Senators of this State,

in Congress, be instructed, and the Representatives thereof requested, to use their utmost endeavors to obtain a repeal" of the Louisiana ordinance. Although not mentioned in the resolutions, of course the basis of the New England grievance was that Louisiana would add to the prestige and power of the South, and presumably of the Republican party in Congress and in the Electoral College.

December 17, 1813, the national government passed a new and stricter embargo act. A committee of the legislature drew up what became known as Lloyd's Report, from the name of the chairman. The Constitution, it declared, was "to promote the general welfare;" but "the voice of New England . . . is lost in the national Councils . . . and there is the aggrandizement of one section of the union, at the expense of another." The multiplication of States in southern and western sections "threatens eventually to reduce the voice of New England, once powerful and effectual in the national councils, to the feeble expression of colonial complaints, unattended to and disregarded."

In regard to the embargo, the report continues, "A power to regulate Commerce is abused, when employed to destroy it; and a manifest and voluntary abuse of power sanctions the right of resistance, as much as a direct and palpable usurpation. The sovereignty reserved to the States, was reserved to protect the citizens from acts of violence by the United States, as well as for purposes of domestic regulations. We spurn the idea that the free, sovereign and independent State of Massachusetts is reduced to a mere municipal corporation, without power to protect its people, and to defend them from oppression, from whatever quarter it comes. Whenever the national compact is violated, and the citizens of this state are oppressed by cruel and unauthorized laws, this legislature is bound to interpose its power, and wrest from the oppressor its victim." This snapper on the whip was a reference to the Virginia Resolutions drawn by President Madison in 1798.

The course of action recommended by the report was a convention of the commercial States. Let "the Wise and Good, of those States, which deem themselves oppressed, assemble with delegated authority, and . . . propose, urge, and even insist upon such explicit declarations of power, or restric-

tion, as will prevent the most hardy from any future attempts to oppress, under the color of the constitution."

Call of the Hartford Convention (1814)

Governor Strong called a special session of the legislature for October 5, 1814. Maine was then occupied by the British, and no help, not even supplies, was forthcoming from the Federal government. The legislature authorized the raising of ten thousand men, and called upon the New England States to "meet and confer upon the subjects of their public grievances and concerns, and upon the best means of preserving our resources and of defence against the enemy . . . and also to take measures, if they shall think proper, for procuring a convention of delegates from all the United States, in order to revise the constitution thereof, and more effectually to secure the support and attachment of all the people, by placing all upon the basis of fair representation."

Several points in this legislative resolution should be noted. (1) It was suggested that delegates from *all* the United States were eventually to be invited; this was clearly camouflage, in that the purpose of the whole enterprise was to exclude the southern States. (2) One of the principal purposes alleged is the unfairness to New England of the compromise whereby the South included three-fifths of their slaves in determining their representation in the House of Representatives and the Electoral College. (3) The resolution suggested that the convention might see fit to call another convention of such States of the Union as would attend, for the purpose of proposing amendments to the Constitution.

However, invitations to the Hartford Convention were issued only to the New England States. That the legislature faced the likelihood that its action would be interpreted as secession, is indicated by a disclaimer in the last paragraph. "It cannot be necessary to anticipate objections to the measure which may arise from jealousy or fear. This Legislature is content, for its justification to repose upon the purity of our motives, and upon the known attachment of its constituents to the national union, and to the rights and independence of their country."

The Hartford Convention (1814 – 1815)

The convention met in Hartford from December 15, 1814, to January 5, 1815. Its sessions were secret, as was customary in convention meetings in those times. Of the 26 delegates, 12 were from Massachusetts. George Cabot, long prominent in the Federalist party in Massachusetts, was elected president. Harrison Gray Otis was the leading member on the floor.

The conservative character of the delegates cannot be too strongly emphasized. The Essex Junto wing of the Federalists was represented by only one member, Timothy Bigelow. The main motive of the group which engineered the movement was simply to transform the New England sentiment into some kind of practical action, and at the same time not to allow action to go too far. For such a program, a "middle-of-the-roader" like Otis was a suitable leader.

To discover the real object of the delegates as they assembled is difficult because of the secrecy of the meetings and also because the delegates themselves had probably not definitely made up their minds. Morison in his life of Harrison Gray Otis (of whom he is a descendant) has essayed the task; and some conclusions can be obtained from letters and defences written then and in later years. Morison accepts Otis's statement that the question of the defence of New England was uppermost at first, and that pressure for a Constitutional amendment came second. As to defence, the particular problem was to find some way by which the customs duties collected in the States could be utilized for the support of the State troops, since the national government would not furnish a military force.

For many years thereafter the convention was accused of designing a secession movement, the principal accuser being John Quincy Adams. The revealed motives do not establish this charge. On the other hand, nullification as a principle was openly advocated, and the threatened conscription bill was specified as unconstitutional. The convention enunciated the duty of a State in which its citizens were so endangered "to interpose its authority for their protection." Of course, when put to the test, nullification can lead nowhere but to secession, unless one government or the other backs down.

The convention finally adopted a report consisting of six resolutions, which was made public. (1) The Convention recommended nullification of the conscription act. (2) An application to the national government was suggested for an arrangement whereby some part of the national taxes collected in the States should be used for the defence of such States. (3) Provision was made for sending forces of any of the New England States to the defence of any other, upon request of its governor. (4) The following Constitutional amendments were proposed: the three-fifths rule to be abolished; no new States to be admitted except by a two-thirds vote in Congress; Congress not to lay an embargo for more than sixty days; foreign commerce with any nation to be interdicted only by a two-thirds vote; a declaration of war to require a two-thirds vote except in cases of actual invasion; naturalized persons not to be eligible for the Senate, House, or any civil office; no person to be eligible for a second term as President, nor the President to come from the same State two terms in succession.

Resolutions 5 and 6 provided for another convention to be held at Boston the following June, if the proposed applications to the government of the United States were unsuccessful, if peace had not been concluded, and if the defence of New England continued to be neglected.

Three of the delegates were sent to Washington with the resolutions, but they found the city rejoicing over the news of peace, which of course reduced the whole movement to a fiasco.

Governorship of Brooks (1816–1823)

Despite the failure of his party at the Hartford Convention, Caleb Strong retained the governorship until 1816 and then was able to pass it on to a Federalist successor. Dr. John Brooks of Medford held the office for seven years and was the last of the Federalist governors not only in Massachusetts but in the nation. He had been a physician; he organized a company which took part at the battle of Lexington and Concord and in the fighting around Boston; in the Revolutionary war he rose to the rank of colonel.

After the war Dr. Brooks resumed medical practice, and became a major-general in the militia. During the war of 1812 he was adjutant-general.

In the midst of this varied life, General Brooks seems never to have been so much a leader as a participant. Perhaps this very fact allayed conflicts and party spirit. In the quaint language of the times, "It was like that of a beloved and revered parent, whom all are disposed to honour and obey."

There is little to chronicle in politics at this time. Massachusetts went through a period of business depression. No world situation existed to reestablish the Yankee commerce which embargo and war had destroyed. The manufacturing which had arisen during the war was temporarily set back by the "dumping" of European goods until such time as the new American tariff policy could become effective. Public interest was taken up with the bitter Unitarian theological conflict now raging. What of political interest there was concerned itself with the movement to liberalize the suffrage, culminating in the State constitutional convention of 1820.

End of the Federalist Party

In 1822 Harrison Gray Otis, although at the time a United States Senator, ran for mayor of Boston. He was defeated, however, because of the revolt of the so-called "Middling Interest" in the newly created city, the rank and file of the party whose interests, with true Federalist philosophy, the leaders had perpetually neglected.

The next year the Democrats nominated for governor Dr. William Eustis, a Revolutionary veteran, and Secretary of War in Madison's cabinet. Although seventy years of age and three times beaten by Brooks, he was the strongest candidate the Democrats could have put up.

Against him the Federalists ran Otis, in spite of his defeat for the Boston mayoralty of the year previous, which should have been a warning to the party. Among the arguments against Otis was his connection with the Hartford Convention. The real reason for his defeat, however, lay in the increasing democratic sentiment of the times and in the fact that the Federalist Party was no longer meeting the issues of the day.

The next year, 1824, Eustis defeated Lathrop, the last Federalist gubernatorial candidate in history.

In 1825, 1826, and 1827 Federalist tickets were put up for the "Boston seat" in the legislature, but they were regularly defeated. In 1827 Benjamin Gorham was nominated and elected to Congress to fill the seat made vacant by Daniel Webster's elevation to the Senate. In 1828 a last-minute Federalist ticket of presidential electors was put up, headed by Otis and Prescott. It received but 126 votes in Boston and apparently none in the remainder of the State. That was the end.

The truth was that the Federalist Party no longer represented any issue in American life. Nationalism was the predominant American note after the War of 1812. Although this had been the principle forever to be associated with the party's career before 1800, the party's program had been sectional since that year. The particular group in the community which the party represented was the commercial; hence the decline of commerce cut its economic foundation from under its feet. The party might have caught on as the protagonists of the rising manufacturing interests, but this it utterly failed to do. From a sentimental standpoint democracy was the key note of American life for a long period after 1816; and to this the whole Federalist philosophy was directly opposed. Not for nothing had the party feared the addition of western States. Pioneer notions of the equality of man flowed back to the East and destroyed what was left of the belief that leadership should rest among "the rich, the well born, and the able."

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CHAPTER XVI

MASSACHUSETTS IN THE WAR OF 1812

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Before the War

Soon after the Revolution, the Barbary pirates began to prey upon American shipping, capturing vessels and enslaving their crews. As a defense against their depredations Congress provided for the construction of six frigates. This is important because these frigates, the best ships of their class in the world, did more than anything else to uphold the national honor, when the time came. Before that time came, one of these frigates, the *Constitution,* built in Boston, began in hostilities with France the career which was to make her the most famous of all American war vessels. A few years later—in 1803—Captain Edward Preble, a Massachusetts man, took the *Constitution* to the Mediterranean, where with his little squadron he waged war against Tripoli.

The Naval War with France, 1798 to 1801, was of peculiar interest to Massachusetts. John Adams was President of the United States, and it was his war. From the shipyards of the State a number of vessels, built under the authority of Congress to meet the emergency, were launched into Massachusetts Bay. The *Constitution* had led the way in 1797. Many vessels were built by the funds of patriotic citizens, who advanced money on the credit of the United States. Among these were the frigate *Essex,* which became another famous ship; the frigate *Boston,* which under the command of Captain George Little captured a French corvette; and the ships *Merrimack, Herald,* and *Warren.* These hostilities with France and Tripoli furnished a training school for a set of brilliant young officers who were to serve their country well in the coming struggle with England.

From the outbreak of war between England and France, events were leading up to war with England. During the French Revolution and the Napoleonic regime, neutrals suffered severely and American merchant vessels were seized and condemned under the authority of French decrees and British orders in council. In addition, the still more intolerable impressment of American seamen by British cruisers inflicted an injury not to be forgotten or forgiven.

England would not permit the products of the French, Spanish, and Dutch West Indies to be brought to British ports in neutral vessels in time of war. This was the Rule of 1756; and British merchants, alarmed at the growth of American trade, insisted on its enforcement. To evade it, West Indian goods were brought to American ports, landed, and customs duties paid, then reshipped and sent to England—often in the same vessel, but with new clearance papers. Such vessels were seized; but in 1799, when the United States was at war with France, were released by the court of admiralty, Sir William Scott laying down the general doctrine which permitted this commerce. In 1805, however, this decision was virtually reversed, as Scott ruled that the intention of the shipper must be examined and, if it appeared that the destination of the cargo from the beginning was England, the broken voyage was illegal and the vessel was good prize. Under this ruling many Massachusetts vessels were condemned, notably the ship *Essex,* of Salem, the first one seized and tried.

As the relations between the two countries became more and more strained and war began to appear imminent, the Federalist party of New England became increasingly opposed to any break with England, more and more estranged from the South and West, and even desirous of separation. A speech of Josiah Quincy, delivered in the national House of Representatives during the debate in 1811 on the admission of Louisiana to the Union, exemplifies the spirit of the extreme Federalists. He said: "If this bill passes, it is my deliberate opinion that it is virtually a dissolution of this Union; that it will free the states from their moral obligation; and, as it will be the right of all, so it will be the duty of some, definitely to prepare for a separation,—amicably if they can, violently if they must."

Unprepared for War (1801 – 1812)

The War of 1812 would have been more effective if it had been declared four years earlier. The state of the public mind following the outrage committed against the United States frigate *Chesapeake* in 1807, when men from her crew were impressed by a British ship of superior force, was favorably disposed to such a measure. But Jefferson and Madison were bent on peace, on saving money, and relied on such retaliatory measures as the embargo of 1807. By 1812 England had made partial reparation, though only partial and far from satisfactory, yet enough with the lapse of time to dull somewhat the sense of injury. The warlike spirit of 1807 had grown stale; but the people were not poltroons. That recruiting for the new regiments authorized by Congress (June 26, 1812) fell far short of furnishing the required number of men was due to the blundering conduct of affairs by the administration.

During all the long years of warfare in Europe and of injury to our shipping, no military preparation worth mentioning had been made for a war which must have seemed to any reasonable person at least more than possible. Had the administration built and sent to sea at this time a relatively strong navy, the respect of the belligerent powers would have been won and in all probability the insults and the consequent war would have been prevented at a cost far less than war.

"That the war was as just and necessary as any war ever waged," says Henry Adams, "seemed so evident to Americans of another generation that only with an effort could modern readers grasp the reasons for the bitter opposition of large and respectable communities which left the government bankrupt and nearly severed the Union." The mismanagement and ineptitude of the administration furnished some, though insufficient, excuse for the unpatriotic stand taken by New England at that time. The conduct of Massachusetts must cause regret in the hearts of many descendants of the Federalists of that day.

At the outbreak of the war three Massachusetts men (two of them natives of other States) were in Madison's Cabinet or other high places. Unfortunately they were not men conspicuous for ability or decision. William Eustis, born in

Cambridge and nearly sixty years old at the opening of hostilities, was Secretary of War, and proved so incompetent that he was forced to resign after a few months. Henry Dearborn, a native of New Hampshire and over sixty, a veteran of the Revolution, had been Secretary of War under President Jefferson and afterwards collector of the port of Boston. In 1812 he was appointed senior major general of the Army. He lacked force and energy; and his want of enterprise and his general inefficiency contributed largely to the disasters of the opening campaign. Another Revolutionary veteran, Brigadier General William Hull, was born in Connecticut and was fifty-nine. After the Revolution he practiced law and was a member of the Massachusetts legislature. In 1812, when in command at Detroit, after announcing his confident expectation of effecting the conquest of Canada, he promptly surrendered his post without a fight and gave up his force to the enemy. These two generals when young men had been brave and good officers, but many years in civil life had divested them of their military character. In apportioning blame these men should be regarded as victims of a general situation for which they were not responsible, as well as of their own ineptitude. Another Massachusetts man, less prominent and little known to the ordinary reader of history, was Colonel Joseph Gardner Swift, a native of Nantucket. He was the first graduate of the Military Academy at West Point. During the war he was chief of the Engineer Corps of the Army, and was an officer of distinguished merit.

The Attitude of Massachusetts

In the Spring of 1812, Massachusetts was represented in the national Senate by James Lloyd, a moderate Federalist, and Joseph B. Varnum, a Republican and a supporter of the war. The Massachusetts delegation in the House of Representatives of the Twelfth Congress, elected in 1810, consisted of seventeen members—nine Federalists and eight Republicans. In the Thirteenth Congress, elected in 1812, the Massachusetts delegation was increased to twenty, but the number of Republicans was reduced to three, showing the increasing unpopularity of the war. At the same

time Elbridge Gerry, a Republican, was elected Vice President of the United States and on March 4, 1813, became President of the Senate. The Federalists carried all the State elections in Massachusetts during the war by large majorities; and Caleb Strong, an extreme Federalist, was governor throughout the period.

The attitude of the governing bodies of Massachusetts during the War of 1812—of the governor and both branches of the legislature, and also of certain town meetings—was distinctly disloyal. On June 26, 1812, in consequence of the recent declaration of war, Governor Strong issued a proclamation for a public fast. The Republican members of Congress, who had voted for war, were received on their return home with contumely and insults; and one of them, Charles Turner, of Plymouth, was roughly handled. Federalists hindered or prevented every effort to assist the war with money or enlistments.

The recalcitrant attitude of the Federalists continued throughout the war. June 15, 1813, Josiah Quincy, who had recently passed from the national House of Representatives to the State senate, offered the following measure in that body: "*Resolved,* as the sense of the Senate of Massachusetts, that in a war like the present, waged without justifiable cause and prosecuted in a manner which indicates that conquest and ambition are its real motives, it is not becoming a moral and religious people to express any approbation of military or naval exploits which are not immediately connected with defence of our sea-coast and soil." It is a comfort to know that John Adams, a Federalist ex-President, and John Quincy Adams had no sympathy with such sentiments.

Some months later the State senate declared: "Beyond that submission which laws enacted agreeably to the Constitution make necessary, and that self-defence which the obligation to repel hostile invasions justifies, a people can give no encouragement to a war of such a character without becoming partakers in its guilt, and rendering themselves obnoxious to those just retributions of Divine vengeance by which, sooner or later, the authors and abettors of such a war will be assuredly overtaken." In a town meeting at Newbury, this memorial was adopted: "We remember the resistence of our fathers to

oppressions which dwindle into insignificance when compared with those which we are called on to endure. The rights which we have received from God we will never yield to man. We call on our State legislature to protect us in the enjoyment of those privileges to assert which our fathers died, and to defend which we profess ourselves ready to resist unto blood." A committee of the legislature reported: "Whenever the national compact is violated and the citizens of this State are oppressed by cruel and unauthorized laws, the legislature is bound to interpose its power and wrest from the oppressor his victim."

These governmental agencies were under the control of a minority, the extreme Federalists. They were willing to see the Union sacrificed and destroyed and wished to set up a New England confederation. Timothy Pickering wrote in 1813 that he believed "an immediate separation would be a real blessing." To the credit of Massachusetts it must be said that these men, though of great influence, represented only a minority. About one half of the people supported the war; but, as Henry Adams says, they "were paralyzed by the other half which opposed it." About half of the peace party, the Federalists, wished to stop the war by any means in their power but were obstructed by the rest, who "threatened to desert their leaders at the first overt act of treason." Consequently, the extreme Federalists together with those who could be persuaded to follow them constituted only about one quarter of the people.

These peace advocates refused to take up arms unless New England was actually invaded; and then they would not leave their own territory. No matter how vitally important it might seem to keep possession of the outlet of Lake Champlain, they would not cross into Canada to defend it. In another way also some New Englanders displayed their lack of patriotism; they traded with the enemy. The British army in Canada lived on beef and flour purchased in New England and northern New York. These facts are not pleasant to contemplate. In palliation, but by no means constituting any excuse, it may be said that the atrocious blundering of the national administration was a great provocation.

The Militia Question (1812–1814)

At the beginning of the contest, the Secretary of War authorized General Dearborn to summon twenty thousand militia from New England. Care was taken to ask for small detachments, so as to rid the War Department of general officers appointed by the States. The war party maintained that the right of Congress to employ the militia of the various States for national defense was to be found in the power of that body to declare war. A bill authorizing the President to accept volunteers (militia) to the number of fifty thousand had passed both houses of Congress by large majorities early in 1812, but it left unsettled the question as to whether they could be sent beyond the limits of the United States.

Chief Justice Parsons, of the Supreme Court of Massachusetts, advised the governor that the right to decide when the constitutional exigency had arisen which should call the State militia into the national service, rested with him rather than with Congress or the President. Governor Strong decided that neither foreign invasion nor domestic insurrection existed and that therefore he must decline the President's request for the State's quota of militia for the defence of the coast. The National Government had no means of enforcing its construction of the Constitution, but it withdrew the garrisons from the New England forts, leaving those States to defend themselves, and refused to send them their quota of the arms which were distributed among the States.

When, late in the war, the governor called out the militia for the defence of the coast and of Maine, which he had refused to do in the beginning, he was careful to make it appear evident that these troops were not in the national service. He placed them under their own commanding officer; it was a State army. His inquiry of the Secretary of War as to whether their expenses would be reimbursed was emphatically answered in the negative.

President Madison, in his first annual message after the war (1815), advised "such an organization of the militia as would place it promptly and effectually under the control of the national government."

In spite of the action taken by Massachusetts authorities in the matter of militia, the citizens of the State came forward

and enlisted in the Regular Army in good numbers as compared with other States. They were brave men, and their valuable services will be alluded to as the story proceeds.

The Opening Campaign (1812)

War having been declared, the object to be obtained, of most interest to the West, was the conquest of Upper Canada. For attaining this purpose, the military objectives at the outset were the west end of Lake Erie, the Niagara frontier, Lake Ontario, and the upper St. Lawrence River. The only important British post on the western frontier was Malden, not far from Detroit. The early capture of this place and the naval control of Lake Erie were essential for the security of Michigan. Sooner or later the Niagara frontier must be held. Of great importance also was naval supremacy on Lake Ontario, which could best be secured and safely maintained by the capture of Kingston, an important British naval station at the eastern end of the lake. Most important of all, perhaps, was the upper St. Lawrence. If this could be seized and held at any point, the British line of communications would be cut, the passage of supplies prevented, and the fall of Upper Canada made inevitable. For the accomplishment of these ends, promptness, energy, and military capacity were essential; and these were lacking, at least during the early period. On the defensive, the security of Lake Champlain and of the Maine frontier were of utmost importance. As will appear in the sequel, the first of these two objects was attained, the other was not.

The force of 1,600 men under General Hull's command arrived at Detroit July 5, whence it was to operate against Canada. On the 12th, Hull crossed the river with his army into Canada. He then proceeded to lay siege to Malden, which lies on the lake at the mouth of the Detroit River. It was held by a small force and probably could have been taken without great difficulty. The slow process of siege was fatal. With Malden in his possession, the British would have been deprived of their only base within striking distance of Detroit. General Hull relied upon a simultaneous movement against Niagara, which would have created a diversion and have held

From a process print — Courtesy of Dr. Gardner W. Allen

THE LAST PERIOD OF THE ACTION BETWEEN THE UNITED STATES FRIGATE "CONSTITUTION" AND THE BRITISH FRIGATE "GUERRIERE," WHICH TOOK PLACE ON AUGUST 19, 1812

Original painting by Joseph Howard — Courtesy of Essex Institute, Salem

FRIGATE ESSEX, 1799, OF SALEM, MASS.

British forces away from Detroit; but nothing of the sort took place until it was too late.

If the American commanders had had to deal only with men as incompetent and dilatory as themselves, all might have been well. But General Isaac Brock, governor of Upper Canada, was a man of great ability and tireless energy, and he was in early middle life. Collecting a small force, he hurried west by water along the north shore of Lake Erie, and joined the garrison at Malden. Hull had already recrossed the river to Detroit. Brock promptly attacked him; and Hull, thinking to avoid an Indian massacre and without offering the least resistance, surrendered, August 16, 1812, not only Detroit but the whole of Michigan Territory.

Meanwhile General Dearborn had difficulties to contend with which would have taxed the powers of a much younger and abler man. First at Boston and later at Albany, he attempted to collect and organize his army; but recruits came in very slowly. He never reached Niagara, and the operations there were conducted by subordinate officers, incompetent and refusing to cooperate with each other, and compelled to work with raw militia. The belated attack, which was to have served as a diversion in favor of General Hull, came off in October and was a failure. General Brock was killed, but not until after he had saved Canada.

The War at Sea and the *Constitution* (1812)

In cheerful contrast to this dismal tale of the consequences of unpreparedness, the story of the Navy's 1812 campaign teaches what highly trained officers and disciplined men can do, even with limited means. The United States Navy at this time was composed of 18 vessels, ranging from 44-gun frigates to 12-gun brigs. The British navy boasted 230 ships-of-the-line together with 600 frigates and smaller vessels.

The frigate *Constitution,* 44 guns, commanded by Captain Isaac Hull, a nephew of General Hull and a New Englander, though not of Massachusetts, sailed from Annapolis, Maryland, July 5, bound to New York. Off the Jersey coast, July 17, she fell in with a British squadron of five ships of war. Then followed one of the most remarkable chases in naval history, lasting three days. For much of the time a dead calm

prevailed, sea anchors and kedges were made use of for warping the vessels, and boats were employed in towing. By consumnate seamanship, Hull escaped and reached Boston in safety.

On August 2 he again set sail and cruised to the eastward. August 19, off the Banks of Newfoundland, the *Constitution* fell in with the British frigate *Guerrière,* 38 guns. It may be here stated that all warships habitually carried more guns than their rate would indicate. After a period of manoeuvring, during which the English ship kept up an active though ineffective fire, the *Constitution* delivered her first broadside at about six o'clock in the afternoon, within pistol-shot. Fifteen minutes later the *Guerrière's* mizzenmast went over the side, in another quarter of an hour or so the mainmast went by the board, and about the same time the foremast also fell. The British frigate now surrendered, a complete wreck. This was one of the most famous sea fights in American naval history. Although the *Constitution* was superior in the number of guns and men, the injury inflicted on her enemy was out of all proportion to the difference in force. The British loss was 15 killed and 64 wounded, 8 of them mortally; the American, 7 killed and 7 wounded. Although the *Constitution* suffered considerable injury to her spars and rigging, it was trivial compared to the plight of the *Guerrière,* a helpless hulk rolling in the heavy sea. She could not be brought into port, so was set on fire and blown up.

In this action and in later ones the British ships fired more rapidly, and this was claimed by their captains to show superiority of fire, a description seemingly inconsistent with their evidently poor marksmanship. The British fired high, damaging their enemy's spars and rigging; the Americans low, smashing their adversary's hull and masts and killing his men. Captain Dacres, of the *Guerrière,* expressed confidence that if he could fight the battle over again under the same conditions he would win, and took credit to himself for firing three broadsides to the *Constitution's* two. This being the case, the *Guerrière* threw a slightly greater weight of metal within a given time than her adversary, which would seem to have made them about equal in force. In nearly every naval action of this war the Americans were greatly superior in seamanship

and gunnery, which was a better criterion than the number of guns and weight of broadsides.

Captain Hull, after disposing of the wreck of the *Guerrière,* brought his prisoners to Boston in the *Constitution.* Great was the rejoicing on her arrival, in which even the Federalists joined, for their own favorite ship had won a great victory. Hull was escorted to Faneuil Hall by a procession of "about five hundred of the most respectable citizens of both parties," as reported in the *Columbian Centinel,* a Federalist paper. There he was tendered a public dinner, at which many of the most prominent Federalists were present.

Two historians of the Adams family have recalled the events of this momentous episode. Henry Adams in his *History of the United States* says: "No experience of history ever went to the heart of New England more directly than this victory, so peculiarly its own; but the delight was not confined to New England, and extreme though it seemed it was still not extravagant, for however small the affair might appear on the general scale of the world's battles, it raised the United States in one half-hour to the rank of a first-class Power in the World." Charles Francis Adams, in a paper read before the American Historical Association in 1912, speaks of "the intense feeling" which "found utterance in every form of shouting and tumult. There was, too, sufficing occasion for it all. Its sense of self-respect had suddenly been restored to a people."

The *Constitution* changed her commanding officer, and was soon taken to sea again by Captain William Bainbridge, who had been made commodore of a small squadron. He sailed from Boston late in October, 1812, in company with the sloop-of-war *Hornet,* 18 guns, Captain James Lawrence. The ships separated off the coast of Brazil and, December 29, the *Constitution* fell in with the British frigate *Java,* 38 guns, which was captured after an engagement of an hour and three quarters. She lost 48 killed and over a hundred wounded; the *Constitution* 9 killed and 25 wounded, 3 of them mortally. The *Java* was somewhat inferior in force, but the damage she suffered was entirely out of proportion to this difference. She was reduced to a complete wreck, with the loss of all her masts; and it was necessary to burn her. Here again the Americans showed immense superiority in gunfire. Bain-

bridge returned to Boston, and was given the same enthusiastic welcome which Hull had received, in which the Federalists took their full share.

The *Essex* (1812 – 1814)

The frigate *Essex,* 32 guns, built in Salem and commanded by Captain David Porter, a native of Boston, was one of the first ships of the Navy to get to sea, sailing from Sandy Hook June 26, 1812. She cruised with success several weeks, taking a number of British merchantmen. The first naval action of the war took place August 13, off the American coast, when the *Essex* in eight minutes captured the British sloop-of-war *Alert,* 20 guns. The *Alert,* with apparent confidence, had boldly attacked the *Essex,* under the impression that she was a merchantman. Of course, considering the disparity in force, any other result was hardly possible, but the action showed courage and spirit.

One of the most interesting episodes of the war was the cruise of the *Essex* in the Pacific Ocean. Having been ordered to join the small squadron of Commodore Bainbridge, Captain Porter sailed from Delaware Bay for the coast of Brazil late in 1812. But he failed to find the *Constitution* and *Hornet,* the other vessels of the squadron, and thereupon decided to cruise alone. He was well provided with money taken from a prize, and determined to try his fortune in the Pacific Ocean. There were no British naval vessels in the Pacific at that time, but there were many American and English whalers, the latter being armed and having letters of marque, while the Americans were unarmed. Porter's arrival was opportune, for the American whale fishery was in danger of destruction. He rescued many American ships which had been taken by the British and also by Peruvian corsairs.

After touching at Valparaiso, he cruised among the Galapagos Islands, the favorite resort of British whalers. On the way he overhauled a Peruvian vessel which had seized two American whalers. In the course of a few weeks Porter had captured several British vessels, and later on many others—twelve altogether, with more than a hundred guns and three hundred men; he also recaptured their American prizes. Nine of his prizes he armed, and became commodore of a for-

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DAVID PORTER, ESQ.

midable squadron. One of the best of these vessels he armed with twenty guns, called her the *Essex Junior,* and put Lieutenant John Downes, a Massachusetts man, in command. Porter proceeded to the Marquesas Islands with his squadron, and there established a naval station and refitted his ships. From his prizes he obtained provisions and naval stores in abundance. He made friends with the natives and aided them in a war with other tribes. He remained there about six weeks.

The British Government at last sent the frigate *Phoebe,* 36 guns, and sloop-of-war *Cherub,* 22 guns, in pursuit of Captain Porter. It seems a pity that he did not return to the United States by way of the Indian Ocean and Cape of Good Hope, but he wished to meet the *Phoebe* and went back to Varparaiso, arriving there in February, 1814, with the *Essex* and *Essex Junior.* Not long after, the *Phoebe* and *Cherub* appeared off the port and blockaded the American ships. On the 28th of March, Porter attempted to run out of the harbor, but was struck by a violent squall which disabled his ship. He was therefore obliged to fight. He was greatly overmatched, especially as the *Phoebe* carried mostly long guns, and the *Essex,* carronades. The action lasted two hours and a half and was one of the most desperate and bloody of naval battles. The *Essex* lost nearly half her crew in killed and wounded; and then, in order to save the rest, Porter struck his flag.

Other Sea Fights (1812 – 1813)

During the first year of the war other notable single-ship actions took place. In October, 1812, the frigate *United States,* 44 guns, Captain Stephen Decatur, captured the British frigate *Macedonian,* 38 guns, and brought her into port. The sloop-of-war *Wasp,* 18 guns, Captain Jacob Jones, took the brig *Frolic,* 18 guns, but both vessels were soon afterwards retaken by a British seventy-four. In February, 1813, the *Hornet,* Captain Lawrence, which had continued her cruise after parting with the *Constitution,* encountered the English sloop-of-war *Peacock,* of equal force, and sank her by gunfire in fifteen minutes. Lawrence then returned to the United States. To offset these victories, the Americans lost in addi-

tion to the *Wasp,* just mentioned, two small brigs, the *Nautilus* and the *Vixen,* which fell into the hands of the enemy.

Then came a serious reverse of fortune—and in Massachusetts Bay. Captain Lawrence, after bringing the *Hornet* home, took command of the frigate *Chesapeake,* 38 guns. She sailed out of Boston Harbor, June 1, 1813, and fought the frigate *Shannon,* of about the same force. The *Chesapeake* had a fresh crew, undisciplined and undrilled. Captain Broke, of the *Shannon,* unlike his brother officers, had for a long time most carefully drilled his crew in gunnery. The result was that he captured the *Chesapeake,* killing Captain Lawrence and several other officers, and took her a prize to Halifax.

This misfortune was soon followed by another. The brig *Argus,* 18 guns, Captain William Henry Allen, built in Boston in 1803, after taking the American minister William H. Crawford to France, cruised in British waters with great success until, August 14, 1813, he encountered the English brig *Pelican,* of superior force. After a hard-fought action, in which Captain Allen was mortally wounded, the *Argus* was captured.

Another battle took place in Massachusetts waters off the coast of Maine in September, and ended in another American victory. The brigs *Enterprise,* Lieutenant William Burrows, and *Boxer,* of about equal force, came together near Portland. The *Enterprise* won the fight in three quarters of an hour. Both captains were killed.

The Northern Frontier (1813 – 1814)

During the years 1813 and 1814 war was waged with varying fortune along the northern frontier. Having built a fleet on Lake Erie, Commodore Oliver Hazard Perry, September 10, 1813, gained his famous and brilliant victory over the British fleet and secured complete control of the lake. Thereupon General Harrison came north with a considerable force, and with the help of Perry's fleet recaptured Detroit, pursued the British army up the Thames River, and gained a decisive victory, November 5. The whole of Michigan was thereby recovered. It was Perry's victory and command of Lake Erie that won back the lost territory.

General Dearborn remained in command of the front from Niagara to Lake Champlain until midsummer, 1813. Com-

modore Isaac Chauncey, with headquarters at Sackett's Harbor, gathered a sufficient number of vessels to give him temporary command of Lake Ontario, though he won no such victory as Perry's on Lake Erie. In April, 1813, Dearborn sent an expedition across the lake which captured York (Toronto). Kingston should have been attacked instead of York, but a large British force at Kingston, existing apparently only in Dearborn's imagination, led to the change of plan. In May, Fort George, at the mouth of the Niagara River, was captured by another combined naval and military force.

After this the war along the Niagara River during the next twelve months was for the most part a story of failures; but in the course of time men of superior ability and military talent emerged from the common mass of incompetence. Jacob Brown, Winfield Scott, and other officers of merit, and the capture of Fort Erie and the battles of Chippawa and Lundy's Lane, in 1814, were bright spots against a sombre background.

The Battle of Chippawa, July 5, 1814, was a fair and square fight on an open plain between fifteen hundred British regulars with six hundred militia on one side, and thirteen hundred United States regulars on the other. The British were also superior in artillery. The American force engaged was the First Brigade, commanded by General Scott. One of the regiments was the Ninth Infantry, from Massachusetts. The Americans advanced "steady as veterans," and the "British line broke and crumbled away." The battle was over in less than an hour, before the rest of the American army had time to get into it. Like the naval victories, it was a case of superior marksmanship. Henry Adams says: "Never again after that combat was an army of American regulars beaten by British troops. Small as the affair was, and unimportant in military results, it gave to the United States Army a character and pride it had never before possessed."

In the Battle of Lundy's Lane, fought during the evening of July 25, American troops again distinguished themselves by steadiness and courage. General Brown's whole army at this time included something over twenty-six hundred rank and file present for duty, but not more than two thousand were actually engaged. The Second Brigade was commanded by Brigadier-General Eleazar Wheelock Ripley, a Massachusetts

man though born in New Hampshire. One of his regiments, the Twenty-first, was recruited in Massachusetts. The British force numbered three thousand. The most brilliant episode was the capture of the British battery from its position immediately in front of the enemy's main force by the 21st Regiment of less than five hundred men. Eventually, the Americans, in the face of superior numbers, were obliged to withdraw from the field, leaving the captured guns behind.

After the Battle of Lundy's Lane, the American army withdrew to Fort Erie, on the lake shore opposite Buffalo. This work had been captured by the Americans, July 3. The fort was greatly strengthened, and fortified lines were extended to the lake on both sides. This work was gallantly and successfully defended against a determined assault by the enemy, August 15. On September 17, the Americans made a sortie and assaulted the British entrenchments. The attack was repulsed; but the Americans inflicted greater losses on their enemy than they themselves suffered, and a few days later the British army withdrew and retreated down the river. During all this time, the enemy's forces greatly exceeded the American in numbers. In these operations the Massachusetts regiments distinguished themselves. About six weeks later Fort Erie was blown up, and the American army was withdrawn from the Niagara frontier. The failure of Commodore Chauncey, who at that time controlled Lake Ontario, to make full use of his advantage affected the course of events.

On the St. Lawrence border, plans for the invasion of Canada and the capture of Montreal came to nothing. The British in turn collected an army of twelve thousand or more men, including great numbers of Wellington's veterans, released from service in Spain. Under the command of Sir George Prevost this force was destined for the invasion of the United States, supported by a fleet on Lake Champlain. Prevost occupied the village of Plattsburg and the American army under General Alexander Macomb retired across the Saranac River, destroying the bridges, and occupied the extensive fortifications south of the town. This force consisted of four or five thousand militia, hastily gathered from New York and Vermont, and fifteen hundred regulars, including the 33rd and 34th Regiments, recruited in Massachusetts. In the skirmishing that took place, the Americans behaved well.

To oppose the British on the lake, Commodore Thomas Macdonough, of the United States Navy, had also collected a fleet. These sea forces came together in the celebrated Battle of Lake Champlain, September 11, 1814, which resulted in a complete victory for Macdonough. Having thus lost command of the lake, the British abandoned their purpose and withdrew into Canada.

Brief mention may be made here of operations farther south. In 1813 and 1814 a greatly increased British naval force maintained a much closer blockade of the American coast, at first especially from New York south and later extended along the New England shore. Chesapeake Bay was occupied, and the shores of the bay were harassed by raids from the fleet. In 1814, a British army joined the fleet and landed in the Patuxent River. All preparations for such an event had been neglected; yet it might have been repulsed, but for the bad behavior of the Maryland militia. Washington was captured, August 24. A later attack on Baltimore failed.

Andrew Jackson, through his successful warfare against the southern Indians in 1813 and 1814, achieved a high military reputation. He was made a major general in the Regular Army, and in 1814 was appointed to the command of New Orleans. With great difficulty and from all sorts of material he brought together an army which on January 8, 1815, utterly defeated a much larger army of British veterans in the famous Battle of New Orleans.

Later Naval Operations (1814 – 1815)

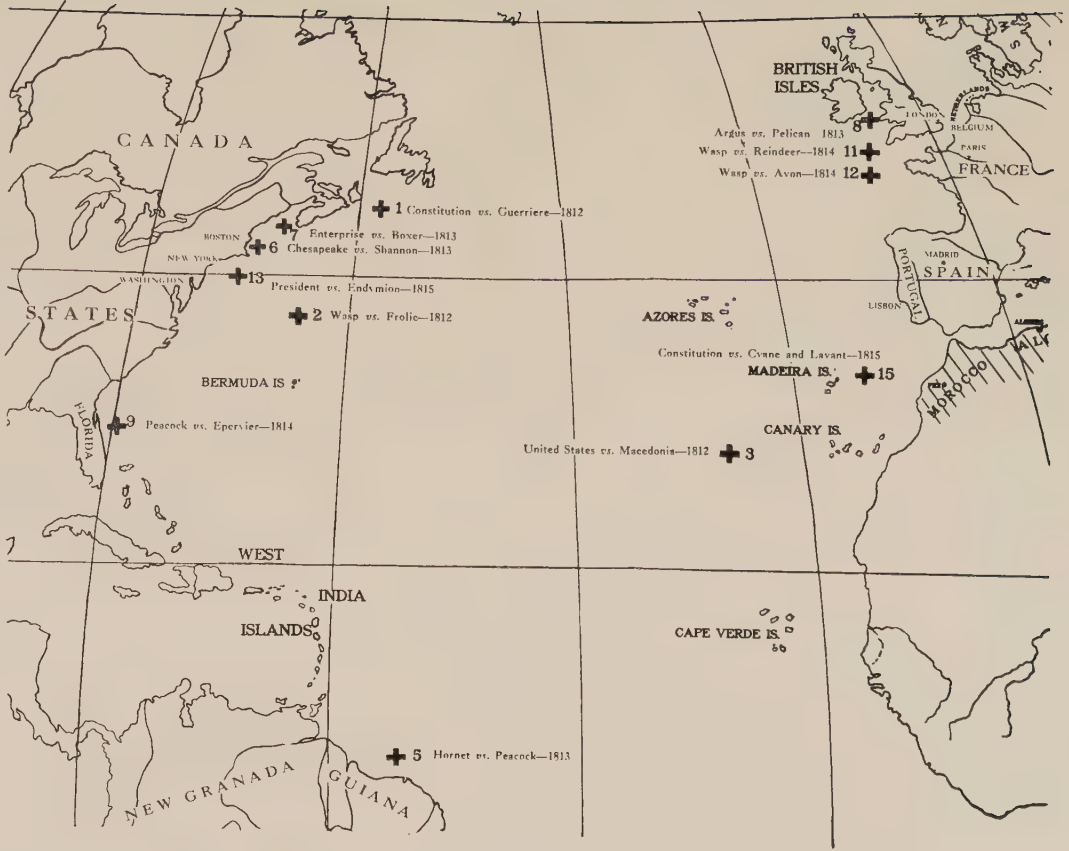
As a result of renewed interest in the Navy, stimulated by the succession of brilliant victories, and of more intelligent comprehension of the importance of sea power, a considerable building program was planned and carried out in 1813 and 1814, including the construction of three sloops-of-war. These were the *Peacock, Frolic,* and *Wasp,* and the two last named were built in Massachusetts, at Boston and Newburyport respectively. The *Frolic* was captured by a superior force at an early period. The *Peacock,* 18 guns, Captain Lewis Warrington, captured the British brig *Epervier,* 18 guns, April 29, 1814, off the coast of Florida. The *Wasp,* 18 guns, Captain Johnston Blakely, cruised in the English Channel, where she

took many prizes. June 28, 1814, she fell in with the sloop-of-war *Reindeer,* 18 guns, and after a hard-fought engagement of half an hour, captured her. She was badly shattered; and after taking out the prisoners, Captain Blakely burned her. The *Wasp* fought another half hour's action, September 1, with the sloop *Avon,* 18 guns. The *Avon* surrendered and soon afterwards sank. Just at this time a British squadron appeared, and the *Wasp* was obliged to fly. A month later she was spoken by another vessel, and was never heard of afterwards. The *Hornet,* now commanded by Captain James Biddle, captured the brig *Penguin,* 18 guns, March 23, 1815. This was the last regular naval action of the war.

Meanwhile the frigates had made no important captures since 1812, and before the last victory there was a loss. The *President,* 44 guns, Captain Stephen Decatur, while attempting to run the blockade off New York and get to sea, was captured January 15, 1815, by the British squadron. The *Constitution,* now under the command of Captain Charles Stewart, made another narrow escape from a British squadron in 1814, being chased into Marblehead harbor. Late in the year she got to sea again and cruised in the eastern Atlantic, where she fell in with the British frigate *Cyane,* 36 guns, and sloop *Levant,* 18 guns, February 20, 1815. By skillful manoeuvring both these vessels were captured in a single action. The *Levant* was afterwards recaptured by a British squadron, from which the *Constitution* and *Cyane* with difficulty escaped. This was the third remarkable chase of the *Constitution.* This last great victory of the American frigate took place two days after the ratification of the treaty of peace, but nearly a month before the expiration of the time after which prizes must be restored. This noble Massachusetts man-of-war did much, at this trying period in our history, to retrieve the good name of her native State, tarnished by some of her citizens.

Preparation for Defense (1814)

It must not be supposed that Massachusetts did nothing in support of the war. Those citizens who were loyal did their full share. The work of Massachusetts regiments at Chippawa and Lundy's Lane and Fort Erie has already been spoken of. The record of the State was creditable as compared with



From Sanford's American History Maps

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NAVAL BATTLES, WAR OF 1812

other States. Virginia and Massachusetts did not differ greatly in population, but the latter contributed four times as much money to support the war as her southern sister, and many more men. In 1814 six regiments—The Ninth, Twenty-first, Thirty-third, Thirty-fourth, Fortieth, and Forty-fifth—were recruited in Massachusetts for the Regular Army, and only three in Virginia. Moreover Massachusetts and New England manned the Navy in much larger proportion than other parts of the country; and the privateers of Boston and Salem played an important part in harassing the enemy.

Secretary of War Monroe, who followed Armstrong in 1814 (Sept. 27), believed that a regular army of one hundred thousand men was essential to success. Since no such numbers could be furnished by voluntary enlistments, he proposed a draft or generous bounties; but Congress would do nothing. Senator Varnum, of Massachusetts, was a strong supporter of the war and was the highest authority in the Senate on matters pertaining to the militia. He was opposed to drafting men from the militia for the Regular Army, which was one of the proposals. Finally, in January, 1815, Congress authorized the President to receive into the national service a certain proportion of State troops, not exceeding forty thousand in all. This legislation was favored by the Federalists because it secured national support for State troops. Meanwhile the Massachusetts Legislature had voted to raise an army of ten thousand men for defense.

The time was approaching when defensive measures must be adopted, since by a British proclamation of April 25, 1814, the coast of New England was included in the blockade, and invasion of Massachusetts territory followed. The exorbitance of the terms of peace offered by England at this time was too much even for Federalists. As affecting the interests of Massachusetts in particular, England proposed to exclude Americans from the fisheries altogether and to take all of Maine east of the Penobscot.

The militia could rarely be depended upon and were very prone to give way in a panic at critical moments when their services were most needed. Under exceptionally good officers they occasionally behaved well. General Jacob Brown seemed to have the faculty of holding them steady in the face of the enemy, especially on the occasion of the sortie at Fort Erie.

At various times in later years, when their own officers have been well trained, militiamen have stood the test.

The militia of Massachusetts were the best equipped of all and were well armed and well drilled, but had not been tested in battle. When it became necessary in 1814 to prepare for defense, a large force was organized. In 1913, the State published the records of the militia in the War of 1812 by regiments, battalions, and companies, with presumably complete rolls. From a rough, though conservative, estimate, allowing for repetition and reenlistment, it would appear that probably thirty-five thousand or more men were enrolled.

The number under arms and in active service at any one time can be only conjectured. They were recruited in every part of the State, much more than half of them in Maine; but most of the service was performed, as would be supposed, in the seacoast towns, from New Bedford to Eastport. Some of the troops were designated as artillery and some of the Maine troops as cavalry, but no doubt most of them were infantry, though used for manning fortifications. Most of the companies were small, some of them very small, and the terms of enlistment were very brief, seldom more than two months and often much shorter. Among these rolls a few are dated in 1813, but the great majority in 1814, nearly all after the first of June. With few exceptions, the enlistments expired not later than the end of November.

The British Invasion (1814)

During 1813, British men-of-war appeared off the New England coast in a threatening manner from time to time, but did not begin their depredations until the next year. In June, 1814, two British vessels at anchor in Buzzard's Bay sent six boats with two hundred men on a marauding expedition to Wareham, where shipping and buildings were destroyed to the value of forty thousand dollars. New Bedford and Fair Haven were blockaded and an attack on these places was planned, but on a false alarm the British withdrew. At another time Falmouth was bombarded for two hours and considerable damage was inflicted on the town. Colonel David Nye called out the militia, but the enemy did not land. Attacks were made at Scituate and Orleans, and at the latter place the

raiders came in contact with the militia. A sharp skirmish followed, in which the militia had rather the best of it. About the middle of June, a British seventy-four sent a boat expedition up the Saco River, in Maine, which destroyed much property.

In September, another boat party attacked a battery at Sandy Bay, Gloucester (now Rockport). On this occasion, several small companies of militia were engaged with the enemy; and the British, favored by fog, were able to take some prisoners from the company of Captain Benjamin Haskell. Half of these were recaptured, however, when one of the British boats swamped; and many of their men in turn fell into the hands of the Americans.

The Massachusetts authorities were at last aroused to the necessity of defensive measures, and a public war meeting was held in Boston, August 30, 1814. Many forts and batteries along shore were repaired and strengthened, and new ones built. Fort Strong, an important work at East Boston, was soon begun. Hundreds of volunteers from all classes of people worked with pick and shovel, and the fort was finished late in October. A fort was built on Dorchester Heights, and the harbor defenses were strengthened. Fort Pickering at Salem, Fort Sewall at Marblehead, and others at Newburyport, Portland, and various other seaport towns were put in a state of defense.

An attack on Boston was fully expected, especially after the bombardment of Stonington, Connecticut, by the British early in August. It was thought that the moral effect of capturing the State capital and largest town in New England would induce the enemy to make the attempt. Therefore, on September 6, four thousand militia were ordered to Boston, and all the militia in the State were held in readiness for the defense of the town if necessary. About five thousand men were kept on duty in Boston and its defenses until the middle of November. Preparations were made to destroy the bridges at short notice, in case of attack by land; also to sink obstructions in the harbor channel, if the enemy should pass the forts.

The chief effort of the British was directed against Maine. It was their intention to subdue the eastern half of Maine and annex it to Canada or New Brunswick. With a small squadron, Admiral Hardy sailed from Halifax July 5, 1814,

and entered Passamaquoddy Bay six days later. He anchored off Eastport, where Fort Sullivan was held by Major Perley Putnam, of Salem, with fifty men and six guns. The town was promptly surrendered, the British took possession of the shores of the bay, and the people were forced to take the oath of allegiance to the king. Putnam wished to resist, but was overruled. Leaving eight hundred men to hold Eastport, Hardy sailed away.

Another and much larger fleet, consisting of three seventy-fours, two frigates, two sloops-of-war, and ten transports, sailed from Halifax, August 26, under the command of Rear Admiral Griffith, with four thousand troops. Lieutenant General Sherbrooke, Governor of Nova Scotia, commanded the expedition. It was his intention first to take Machias, but having learned that the U. S. frigate *Adams* was in the Penobscot River, it was decided to occupy the bay and blockade the river. The *Adams*, under the command of Captain Charles Morris, had recently arrived in Penobscot Bay from a successful cruise. Unluckily, she struck on a rock, and it was necessary to heave her down for repairs. She was accordingly taken up the river to Hampden, a few miles below Bangor. Having learned of the proximity of the British fleet, Morris determined to defend his ship as long as he could and then destroy rather than surrender her. He landed his guns at a wharf, dragged nine 18-pounder carronades up a steep bank and placed them in battery there, and mounted the rest of his guns on the wharf. He notified Brigadier General John Blake of the situation; and Blake called out the militia under his command, the Tenth Massachusetts Division. He consulted with Captain Morris, who expressed little confidence in the militia.

Meanwhile the enemy's fleet entered the bay and appeared off Castine, September 1. A half-moon redoubt, Fort Porter, was held by Lieutenant Lewis, United States Army, with forty regular soldiers. The fort was armed with four 24-pounders and two field pieces. The British demanded the surrender of the fort. Lewis gave them one volley; then spiked the heavy guns, and fled up the river with his men and field pieces. General Sherbrooke thereupon landed six hundred men and took possession of Castine, which controlled Penobscot Bay. Belfast was taken a little later. From Cas-

tine a detachment was sent up the river in pursuit of the *Adams,* and landed at Frankfort, about ten miles below Hampden.

General Blake posted his force of six hundred raw militia in a good position at Hampden, where he was joined by Lieutenant Lewis and his forty regulars and two field pieces. The militia had an 18-pounder carronade and four light guns. Captain Morris advised attacking the enemy at their landing-place, but was overruled. He had two hundred seamen and marines, and several guns at the wharf for the defense of the *Adams.* On the morning of September 3, which was foggy, the British moved cautiously towards Hampden. Although hidden by fog, Blake opened on them with all his guns, and then waited for their nearer approach before ordering musket fire. The suspense was too much for the militia, who broke and fled in a panic when the enemy came up on the run. Blake and his officers were left standing alone.

Morris saw the danger of his position, and ordered his guns in the battery to be spiked and his men to retreat. The *Adams* was set on fire; the captain spiked his guns on the wharf and retreated with his men. He joined Blake and the other officers, and all retreated to Bangor. General Blake was captured and obliged to give his parole for the duration of the war. Blake was much blamed for his conduct of affairs, but did the best he could under the circumstances; he was merely incompetent. Captain Morris escaped across country to Portland. The enemy took possession of Hampden and Bangor, but promised to respect private property. They made no attempt to protect it, however. Plunder was freely indulged in and much property destroyed. Leaving a garrison at Castine, the main body of the British left the bay, took Machias, and then returned to Halifax.

The inhabitants of eastern Maine were obliged to take the oath of allegiance and of neutrality. They submitted quietly and tamely. Castine was strongly fortified. But the enemy's triumph was of short duration. The treaty of peace, which soon followed, restored eastern Maine to the United States. The town was evacuated, and the British fleet sailed out of Penobscot Bay, April 25, 1815, to the great relief and joy of the people.

Privateering (1812 – 1814)

There were not nearly so many American privateers in the War of 1812 as in the Revolution. The number given by Emmons is 529, of which 159 were from Massachusetts, 30 being from Boston and 40 from Salem. Of these Massachusetts vessels 9 were ships, 32 brigs and brigantines, and 96 were schooners, the others being small vessels and boats. Captain Coggeshall, himself a privateersman, wrote a book containing a list of only 250 for the whole country, 87 of them hailing from Massachusetts. Privateering was opposed by the strict Federalists, especially in New Bedford.

When war broke out, many merchant vessels and seamen, having put to sea to elude the embargo, were in foreign waters and ports, where they were laid up during hostilities. These ships and crews, therefore, were not available for privateering. On the other hand, those homeward bound merchantmen which escaped British cruisers and reached port early in the war were dismantled and laid up, if not suitable for conversion into privateers, and their crews furnished recruits for this peculiar service.

At the outset there were in Atlantic ports a few fast-sailing brigs and schooners suitable for the purpose, which were rapidly fitted out and became the first privateers to get to sea. Pilot boats also were used in the beginning. Many of them carried one large gun in the middle of the deck, commonly called "Long Tom," in addition to their ordinary battery. There was a crew of fifty or sixty men, and plenty of muskets, cutlasses, and boarding pikes. They made short cruises along the coast of Nova Scotia and Newfoundland and in the West Indies. They were often successful and took many prizes.

Later on, vessels in large numbers were built for the service and great proficiency was developed in turning them out in remarkably short time. The places of those captured were therefore rapidly filled. The schooner was a favorite rig, and brigs were also very common. They were fast sailers as a rule, some of them remarkably so. The ship *America,* a Salem merchantman built in 1803 and converted into a privateer, had a record of thirteen knots with all her guns and stores on board. American privateers made many remarkable escapes from British cruisers, and the English were forced to concede

the Americans' superiority in building, rigging, and sailing small vessels.

Because of concentration of the British blockading fleet on the American coast, the privateers cruised in foreign and distant seas after the early months of the war. They were particularly active in the last year of hostilities. They succeeded in running the blockade and soon spread over the oceans, penetrating as far as the China seas. Until then, England's East India and China trade remained safe from all enemies. Now the *Rambler,* the *Hyder Ali,* and the *Jacob Jones,* of Boston, sold their prize goods in Canton and other oriental ports. The Americans infested the English Channel and adjacent waters and blockaded British ports. It was unsafe for merchantmen to cross from England to Ireland. Insurance rates rose to great heights. Privateers cut vessels out of convoys in sight of escorting warships, and the British navy seemed powerless to afford adequate protection. Hence a great outcry on the part of merchants and the press. The Admiralty made what excuses they could, and British naval officers suffered the extreme of mortification at their failures to catch the privateers and at their great losses; in some instances, they made bungling and unsuccessful attempts at boarding and boat attacks.

Estimates of the number of prizes taken by American privateers during the war range from 1300 to 1600. As might be supposed, the Navy made fewer captures than the privateers, which were so much more numerous; although ship for ship the naval cruisers took the larger number. A large proportion of the prizes, however, were recaptured, because the desire of the privateersmen for prize money induced them to risk attempting to get their prizes into port. American privateers in the War of 1812 were probably the most successful commerce destroyers in nautical history, yet still more injury would have been done the enemy if a larger number of the captured vessels had been destroyed.

Notwithstanding the great success of these enterprises in the aggregate, many of the cruises were unsuccessful. Privateering had its drawbacks. It took great numbers to man the private ships, which interfered seriously with recruiting for the Navy. It would perhaps have been better if the National Government had fitted out forty or fifty small vessels for the

same sort of work, and had issued no letters of marque. But that would have been contrary to the spirit of the age and the experience of a century.

Noted Privateers

It may not be out of place to take a closer view of two or three of the Massachusetts privateers. The ship *America,* of Salem, was a vessel of 473 tons, 114 feet long, with 30 feet breadth of beam. She had been built for the merchant service in 1803, and was one of the fastest ships of her time. In preparation for her warlike service, her upper deck had been removed, her sides fortified with oak, and her yards and royalmasts lengthened. She carried twenty guns and a hundred and fifty men. She made five cruises in all, and her favorite cruising ground was from the English Channel to the latitude of the Canaries. On the first cruise she was commanded by Captain Joseph Ropes, a son of Captain David Ropes, a noted Revolutionary privateersman. During the war she took 41 prizes, 27 of which reached port safely and 6 were recaptured; the others were destroyed. The net profits of her cruising amounted to $1,100,000, of which her officers and crew took more than half a million as their shares. She fell in with several armed vessels first and last, and fought a number of engagements.

The Salem brig *Grand Turk,* of 310 tons, 18 guns, and 150 men, was fast and a successful prize taker. Two British frigates were sent out expressly to capture her, but she escaped by skillful seamanship after a long chase. Another Salem brig, the *Montgomery,* of 165 tons, 18 guns, and 100 men, had a desperate battle with a large English packet brig transporting troops. After exchanging many broadsides the brigs came together alongside, the Englishman's anchor catching in one of the *Montgomery's* ports. A fire of musketry ensued between the American crew and platoons of soldiers on the packet. This continued for fifty minutes, when the *Montgomery* filled her fore-topsail and managed to break away, with four of her crew killed and twelve wounded. Both vessels, apparently, were glad to separate. Great numbers of other privateers had similar or still more interesting experi-

ences. It was a picturesque and romantic form of adventure and belongs to an age that has passed.

Trading with the Enemy (1812–1814)

In spite of blockades and embargoes, the American merchant marine was not wholly unoccupied during the war and merchantmen sailed the seas in considerable numbers. Probably the greater part of the commerce they engaged in was trading with the enemy. This shameful pursuit was followed by the merchants and shipowners of every seaboard State, and Massachusetts doubtless took her full share in it. Distance alone prevented the farmers of the State from participating in the trade across the Canadian border already mentioned.

In 1812 the war in Spain and Portugal was still going on, and the British troops in the Peninsula depended on America for food, which had long been supplied by enterprising American merchantmen. After war with the United States began, the trade continued. It was carried on under licenses issued to American ships by the British Admiralty in large numbers. These licenses were openly bought and sold by brokers in New York, Philadelphia, and Boston and often brought high prices. They passed ships through the blockade and exempted them from capture by British cruisers on the high seas. Trade with Nova Scotia, Newfoundland, and the British West Indies was also carried on under licenses issued by British admirals and governors. The manufactures of England were imported in large quantities through these channels. The British blockading fleet and the squadrons occupying Chesapeake Bay and other American waters were supplied with food and other necessaries by Americans who were willing to engage in this trade.

The bitter opposition to the war on the part of many people, not only in New England but in other States, no doubt made this commerce appear less unjustifiable. In a way, it acted as a sort of safety valve and perhaps had an influence in preventing New England from going to extremes in the direction of disunion. President Madison wished to stop this business by an embargo, but did not succeed in getting Congress to pass a bill until December, 1813. The embargo did not stop trading with the enemy—vessels still managed to elude the

authorities and get to sea; but it made it more expensive. The Embargo Act was repealed in April, 1814.

General Conditions (1811 – 1815)

In 1811 the Republican party was strong enough in Massachusetts to reelect Elbridge Gerry governor, to dominate both houses of the State legislature, and to elect Joseph B. Varnum to the United States Senate. This power was soon lost, however, and the Federalists had full control during and for a time after the war. The arguments of the peace party were plausible and must have had a strong influence on public opinion during the exciting period of the war. This is shown in the proceedings of the State legislature and of the town meetings. Undoubtedly, however, the mass of the common people, especially in the larger towns, though often misled and confused by the issues, were loyal and patriotic at heart. After it was all over, perhaps many of them realized that there was little reason for pride in the stand their State had taken.

As to economic conditions, Massachusetts was prosperous during the war. Before it, interference with ocean commerce by embargoes and other hindrances had begun to turn men's thoughts to manufacturing. This continued to increase during the war, although injured by the illicit importation of British goods just alluded to. Manufactured goods were sent south in large quantities and brought much specie into the State, for Southerners could not exchange their goods, which were too bulky for transportation by land. The Massachusetts farmers also prospered during this period.

This happy situation, however, was not appreciated by the people. They were in ill humor and discontented. Their gloomy frame of mind found expression in political action; and just about at the end of the war the Massachusetts legislature took the first action which led to a convention of the New England States for the purpose of discussing their grievances and seeking remedies.

The conclusion of peace was followed by reaction, by a subsidence of favorable economic conditions and a general decline. Shipping and manufacturing both suffered, at least temporarily. There was lack of employment, a great exodus of people from the State to the West, and the rate of increase

of population fell below normal. This state of things for a time prevented the full enjoyment and hearty participation of the Massachusetts people in the Era of Good Feeling, which followed the War of 1812.

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CHAPTER XVII

SOCIAL CONDITIONS AND SOCIAL CHANGES (1789 – 1820)

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Effects of the Revolution

In the life of a state, as in the life of an individual, periods of radical change and rapid development tend to follow great crises. Times that are relatively free from disturbance tend to conservation of values, to slow and even development of physical and human resources. The crisis itself is a change and may necessitate further changes. A brief reaction generally follows; then, among a spirited people, rapid progress becomes possible.

The American Revolution precipitated a political, social and industrial crisis in Massachusetts. Feelings ran high, old traditions were challenged; above all, leadership for social and political reorganization proved indispensable and was not found wanting. In the formation of the American union and also of the state constitution, the political genius of John Adams on the one hand and of Samuel Adams on the other exercised a profound influence upon American institutions. Only three other states, Virginia, Pennsylvania, and New York, exercised so marked an influence upon the constructive political thinking of the period. In all four the habit of challenging political tradition was highly developed.

The fundamental political institution of the period in Massachusetts was the town meeting. Inasmuch as the population of the state in 1790 was chiefly rural, and as Boston and Salem, then the largest cities, were still small towns, as measured in later times, it was possible to continue the town meeting form of government through the second decade of the Nineteenth Century even in the city of Boston. When the first state constitution was adopted in 1780, no one successfully

questioned the desirability of continuing this type of local government, in which the people of each community were a deliberative body, making decisions on every type of public question. In Boston, which in 1780 had about 3,000 voters, the excitement at these meetings was sometimes intense; but every citizen legally had an even chance with his neighbor of influencing the trend of public affairs. An attempt in 1784 to establish a board of aldermen was hotly rejected; and somewhat similar suggestions in 1815 and 1820 suffered the same fate. Here was a true political democracy: general interest, coupled with considerable personal participation, and responsibility on the part of male citizens qualified to vote,—roughly one-sixth of the population.

The social legislation of the period,—partly the resultant of town meetings, and partly the work of the General Court,—expressed the popular will as swayed by the demagogues, or interpreted and led by the political thinkers of the period. The outcome of these democratic institutions may fairly be said to be sturdiness of character, high but rugged ideals, and practical far-sightedness on the part of the population of the Commonwealth.

Social Standards in 1788

The result was also a function of able leadership. The best contemporary characterization of the social life and the popular trend of the period is that of a French visitor, Jean Pierre Brissot de Warville, in his description of Boston in 1788. "You no longer meet here that Presbyterian austerity, which interdicted all pleasures, even that of walking; which forbade travelling on Sunday, which persecuted men whose opinions were different from their own. The Bostonians unite simplicity of morals with that French politeness and delicacy of manners which render virtue more amiable. They are hospitable to strangers, and obliging to friends; they are tender husbands, fond and almost idolatrous parents, and kind masters. Music, which their teachers formerly proscribed as a diabolic art, begins to make part of their education. In some houses you hear the forte-piano. This art, it is true, is still in its infancy; but the young novices who exercise it, are so

gentle, so complaisant, and so modest, that the proud perfection of art gives no pleasure equal to what they afford.

"One of the principal pleasures of the inhabitants of these towns, consists in little parties for the country, among the families and friends. The principal expence of the parties, especially after dinner, is tea. In this, as in their whole manner of living, the Americans in general resemble the English. Punch, warm and cold, before dinner, excellent beef, and Spanish and Bordeaux wines, cover their tables, always solidly and abundantly served. Spruce beer, excellent cyder, and Philadelphia porter, precede the wines.

"Country houses....are seen at small distances through the forests of Massachusetts. Neatness embellishes them all. They have frequently but one story and a garret; their walls are papered; tea and coffee appear on their tables; their daughters, clothed in callicoes, display the traits of civility, frankness, and decency; virtues which always follow contentment and ease. Almost all these houses are inhabited by men who are both cultivators and artizans; one is a farmer, another a shoemaker, another sells goods; but all are farmers."

Education

Popular education was a matter of public concern. Samuel Adams, the Commonwealth's gifted champion of republican institutions, recognized the importance of its development. In 1790 he remarked that "The Body of the People in this Country are not so ignorant as those of England were in the Time of the Interregnum Parliament. They are better educated....Education is within the Power of Men, and Societys of Men. Wise, and judicious Modes of Education, patronized and supported by communities, will draw together the Sons of the rich, and the poor, among whom it makes no distinction; it will cultivate the natural Genius, elevate the soul, excite laudable Emulation to excel in Knowledge, Piety and Benevolence, and finally it will reward its Patrons, and Benefactors by shedding its benign Influence on the Public Mind. Education inures Men to thinking and reflection, to reasoning and demonstration. It discovers to them the moral and religious duties they owe to God, their Country and to all Mankind. Even Savages might, by the means of Education, be

instructed to frame the best civil, and political Institutions with as much skill and ingenuity, as they now shape their Arrows. Education leads youth to the Study of human nature, society, and universal History, from whence they may 'draw all the Principles' of Political Architecture, which ought to be regarded. All Men are 'interested in the truth.' Education by showing them 'the End of all its consequences' would induce, at least, the greatest numbers to inlist on its side. The Man of good understanding who has been well educated, and improves these advantages as far as his circumstances will allow, in promoting the happiness of Mankind, in my opinion, and I am inclined to think in yours is indeed 'well born.' "

Nevertheless, in this period the standards of public education fell short of those of colonial times. For men of ability could find more profitable employment at other occupations than teaching, and the possibility of using women as teachers was not yet recognized. The act of 1789 required towns of fifty families or more to provide six months of constant instruction, and required a grammar teacher of specified qualifications for towns of two hundred families; whereas the earlier laws had required such teachers for towns of half that size. This act was subsequently superseded by that of 1824, which was even less adequate and limited its requirements to more elementary education except for communities of 5,000 inhabitants or more.

An important result of this situation was the development of private academies, some of which have had a long and distinguished career, while others were as poor as the common schools of their period. Most notable among the former was Phillips Andover Academy, which opened in 1778 and was incorporated in 1780. Meanwhile, collegiate education received an impetus, not only at Harvard but through the establishment of Williams College in 1793 and of Bowdoin College, in the Eastern District, chartered by the Massachusetts legislature in 1802.

Cultural and Ecclesiastical Development

Scientific interests were developing, as is evidenced by the establishment of the American Academy of Arts and Sciences in this period and by the scientific productions of Nathaniel

Bowditch. Royall Tyler was the leading Massachusetts novelist and satirist. The establishment of the *Monthly Anthology and Magazine of Polite Literature* in Boston in 1803, and of the *North American Review* by the same group in Boston in 1815, are evidence of a reviving interest in literature and of an original and creative culture. Perhaps the most striking index of developing intellectualism was the rapid development of Unitarianism under the leadership of William Ellery Channing. This philosophical and scientific challenge of the predominating religious traditions of the earlier period stimulated a broader and more intellectual attitude on problems of a religious, moral, or social nature. It was accompanied by a development of Protestant denominations hitherto under serious legal handicaps. The Episcopal Church was firmly founded. The Methodists, the Baptists, the Universalists, even the Catholics erected convents, built churches, created elementary institutions, and claimed equal legal standing and privilege.

The division between Orthodox and Unitarians caused many painful divisions of communities, and led to disagreeable legal proceedings for the possession of communion services and church benevolent funds.

Individualism

A continuous undercurrent of individualism and rebelliousness was strikingly exemplified on various occasions in the first three decades. Shays's Rebellion in 1786 was a fairly well organized resistance to heavy taxation and to centralization, and involved directly or indirectly thousands of people, chiefly in the central portions of the state. It is somewhat reminiscent of the spirit of the Boston Tea Party, but was a misdirected popular uprising against federal institutions not then fully appreciated by a considerable portion of the electorate. Feelings ran high also against democratic leaders, especially among the well-to-do families of Boston and Essex County. The long struggle over the state constitution, described in another chapter of this work, to some degree reflected the rivalry between Boston and the smaller places, and between the large maritime towns and the smaller agricultural towns.

The organized resistance of Massachusetts against the embargo and against Jefferson in 1809 led even to threats of dissolution of the union. The resistance to the War of 1812, popularly manifested by a mob in Plymouth, August 3 of that year, revealed a lingering sentiment of the contract nature of the Federal Constitution. In fact, until 1814 considerable discussion was heard in Massachusetts of the possibility and desirability of separation from the Union.

Such independence of thought and temper must be listed not among the liabilities but among the assets of a body of American citizens who had taken the leadership in resistance to the aggressiveness of the mother country. Progress is dependent upon challenge rather than on conformity; and in challenge Massachusetts has a record of preeminence, associated throughout with a willingness to cooperate for recognized common ends.

The Slavery Problem

The population of Massachusetts in this period was not homogeneous. Many Indians still lived in the state, though their number was diminishing. Descendants of negroes brought into the Commonwealth during the preceding centuries were mostly free citizens, but at this time some still were in a condition of slavery. In 1777 Vermont, upon its separation from New York, adopted a constitution prohibiting slavery. March 18, 1777, a body of slaves in Boston addressed the following petition to the legislature.

"The petition of a great number of negroes, who are detained in a state of slavery in the very bowels of a free and Christian country, humbly showing,—

"That your petitioners apprehend that they have, in common with all other men, a natural and inalienable right to that freedom, which the great Parent of the universe hath bestowed equally on all mankind, and which they have never forfeited by any compact or agreement whatever. But they were unjustly dragged by the cruel hand of power from their dearest friends, and some of them even torn from the embraces of their tender parents,—from a populous, pleasant and plentiful country, and in violation of the laws of nature and of nations, and in defiance of all the tender feelings of humanity, brought hither to be sold like beasts of burden, and,

like them, condemned to slavery for life—among a people possessing the mild religion of Jesus—a people not insensible of the sweets of national freedom nor without a spirit to resent the unjust endeavors of others to reduce them to a state of bondage and subjection.

"Your Honors need not to be informed that a life of slavery like that of your petitioners, deprived of every social privilege, of every thing requisite to render life even tolerable, is far worse than non-existence.

"In imitation of the laudable example of the good people of these States, your petitioners have long and patiently waited the event of petition after petition, by them presented to the legislative body of this State, and cannot but with grief reflect that their success has been but too similar.

"They cannot but express their astonishment that it has never been considered, that every principle from which America has acted, in the course of her unhappy difficulties with Great Britain, bears stronger than a thousand arguments in favor of your humble petitioners. They therefore humbly beseech Your Honors to give their petition its due weight and consideration, and cause an act of the legislature to be passed, whereby they may be restored to the enjoyment of that freedom, which is the natural right of all men, and their children (who were born in this land of liberty) may not be held as slaves after they arrive at the age of twenty-one years. So may the inhabitants of this State (no longer chargeable with the inconsistency of acting themselves the part which they condemn and oppose in others) be prospered in their glorious struggles for liberty, and have those blessings secured to them by Heaven, of which benevolent minds cannot wish to deprive their fellow-men.

"And your petitioners, as in duty bound, shall ever pray:—

LANCASTER HILL
PETER BESS
BRISTER SLENEEN
PRINCE HALL
JACK PIERPONT
NEGRO FUNELO
NEWPORT SUMNER

No record exists of the action of the committee on this petition, but a bill to prevent "The Practice of holding persons in slavery" was introduced in the General Court, June 9, 1777. After the second reading it was moved, and seconded, that the Bill lie upon the table.

Hence an opportunity was given to the makers of the Massachusetts Constitution of 1780 to put a stop to slavery in Massachusetts. For in that Constitution is the noble declaration that "all men are born free and equal, and have certain natural, essential and inalienable rights."

So-called Freedom Suits had earlier been entered without result. This provision was not self-operative. Several cases were brought before the Massachusetts courts, and this section of the Constitution was construed to grant freedom to all slaves. Thus, in 1781, a case was tried before the court in Worcester County in which a white man named Jennison, was indicted for beating a negro named Quock Walker. Jennison claimed that the negro was his slave and that the beating was a necessary correction. The court ruled that the Constitution had granted freedom to slaves, and fined Jennison forty shillings. This decision was confirmed by the Supreme Court of the State in 1783. A somewhat similar decision was rendered in the case of Elizabeth Freeman, known also as "Mum Bet." Massachusetts was therefore the second state in the Union to eliminate personal slavery. The example was followed by Rhode Island and Connecticut in 1784, Pennsylvania in 1780, New York in 1799. For New Jersey there was never a clear and complete antislavery statute previous to the Civil War of 1861. This is a most striking example of the early establishment of the high principle of human freedom and of honest interpretation of the popular will by the court.

Legislation on Immigration

The attitude toward the immigrant in this same period reveals less of high principle. It does, however, display another group of the fundamental characteristics of the Massachusetts law-makers and the populace of the period, namely, thrift, shrewdness, and resistance to imposition.

"An Act providing for the relief and support, employment and removal of the poor," passed in February 26, 1794, provides for the removal and deportation of immigrants upon complaint of the overseers of the poor. Any immigrant becoming a pauper might, on warrant from the overseers, be removed by the justice of the peace "to any other State, or to any place beyond the sea, where he belongs, if the Justice thinks proper." By the same law the master of any vessel who shall bring persons from any other State or Nation, who have been convicted of crime, or have been of "notoriously desolute, infamous and abandoned life and character" and knowing him or her to be such, shall forfeit the sum of one hundred pounds, one half to go to the State and the other half to the citizen who shall prosecute and sue for the same by action of debt.

The masters of vessels are also required in the same act, within forty-eight hours of arrival from any country outside of the United States to report on "all such passengers, their names, nation, age, character and condition, so far as hath come to his knowledge, to the overseers of the poor of the town or district at or nearest to which such vessels shall arrive, who shall record the same in a book kept for that purpose in their office." For failure to make such a report or for rendering a false report, the forfeit for each offense was fifty pounds.

The immigration problem became an increasing burden, and in 1820 "An Act to prevent the introduction of paupers from foreign ports or places" was passed in the following terms:

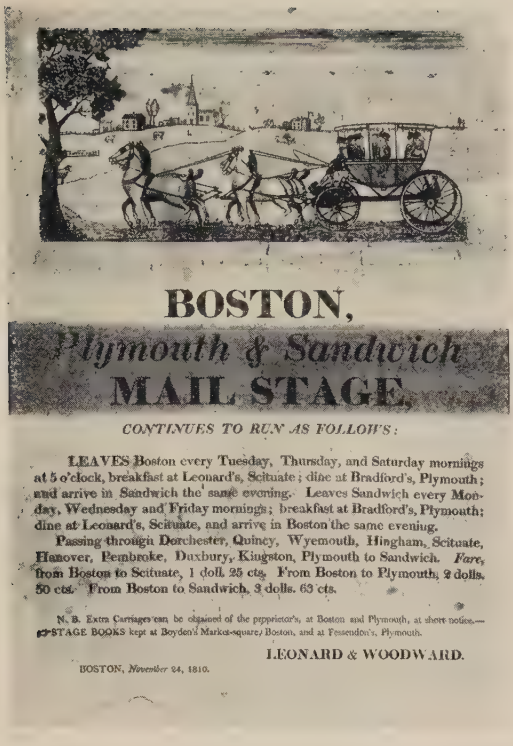
"Be it enacted by the Senate and House of Representatives: That when any ship or vessel, having any passengers on board, who have no settlement within this Commonwealth, shall arrive at any port or harbor within the Commonwealth, the master of such ship or vessel shall, before such passengers come on shore, leave a list of their names and places of residence, with the Selectmen or Overseers of the Poor of the town where such passengers shall be landed; and if, in the opinion of said Selectmen or Overseers, any such passengers may be liable to become chargeable for their support to the Commonwealth, the master of such ship or vessel shall, within five days after his arrival, as aforesaid, and on being notified by

the Selectmen to that effect, enter into bonds with sufficient sureties, to the satisfaction of said Selectmen in a sum not exceeding five hundred dollars for each passenger, to indemnify and save harmless such town, as well as the Commonwealth, from all manner of charge and expense, which may arise from such passengers, for and during the term of three years; and if the master of such ship or vessel shall land any such passengers, without entering their names and giving bonds as aforesaid, he shall forfeit and pay the sum of two hundred dollars for each passenger so landed, to be recovered by action of debt, by any person who shall sue for the same; one moiety thereof to the use of the Commonwealth, and the other moiety to the prosecutor; provided, this act shall not take effect until the first day of May next and that nothing in this act shall be construed to extend to the master of any ship or vessel, in any voyage on which such ship or vessel may now be employed."

Social Effect of Industrial Conditions

It was thus not immigration in itself but the unloading of paupers and criminals that most troubled the legislators and public servants of that time. In a community with little superfluous wealth, living conditions were hard; and the support of incompetent persons shipped from Great Britain, or elsewhere, was a serious burden. Good workers were, however, welcome, because there was plenty of land in the rural districts, and particularly because new and expanding industries in the cities called for an increase in the labor supply.

According to Henry Adams, Massachusetts in the period from 1800 to 1812 owned over one third of the registered tonnage of America, and the resulting profits were great. Manufacturing was stimulated, and (to use Adams's term) "created" by the embargo. There followed a rapid growth of industries; as, for example, the making of hats and shoes, of cotton cloth and soap, of iron and nails, and woolen goods. These manufactures were retarded by large importations of goods from Europe at the close of the War of 1812, and Victor S. Clark reports that in 1816 almost every textile mill in New England was closed, but that in cotton manufactures



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LEONARD & WOODWARD.

BOSTON, *November* 24, 1810.

From an original Courtesy of the Bostonian Society

MAIL STAGE POSTER

Courtesy of State Street Trust Company, Boston

FIRST COTTON MILL IN NEW ENGLAND AT BEVERLY, MASS.

this crisis stimulated "technical improvements," and hastened the introduction of automatic weaving.

Child Labor

No characteristic of this period is more striking to the modern investigator than the wide-spread approval of child labor. Work was recognized as a builder of character. Children were expected to enjoy the benefits of rigorous training while contributing their bit to the slender money income of the family. Thus, as a matter of course, Alvah Crocker in 1810 went to work at the age of eight to earn twenty-five cents per day. His work day was twelve hours long and he was able to go to school for only six weeks in the year. Before the coming of the factory, a farm family, according to Clark, earned only two hundred dollars a year. After the children were employed in the mills the family income might increase to five hundred or six hundred dollars per year. Here, surely, was an incentive; and the annals of the period are full of examples of its application, a few of which will be cited.

In 1770, the legislature received a petition from William Molineux, of Boston, to assist him in his plan for "manufacturing the children's labor into wearing apparel" and "employing young females, from eight years old and upward, in earning their own support." Public opinion commended him because owing to his efforts "the female children of this town. . . . are not only useful to the community but the poorer sort are able in some measure to assist their parents in getting a livelihood."

President Washington, in 1789, commends as "ingenious" a "sail manufactory" in Boston where there were fourteen girls "spinning with both hands, the flax being fastened to their waists," other girls being employed to turn the wheels for them. In 1789, a petition in behalf of the "first cotton factory" at Beverly, Massachusetts, states that "it will afford employment to a great number of women and children, many of whom will be otherwise unless, if not burdensome to society."

Child labor was approved not only as a means of rendering industries successful and of enhancing family incomes but also for its moral value. Mathew Carey calls attention to the

"vice and immorality to which children are exposed by a career of idleness." It is of course true that, except for the long hours and confinement, the labor of women and children was often conducted under conditions that were almost idyllic as compared with some of the factories of the present day. Such conditions in the early Lowell factories were later described entertainingly by Lucy Larcom. But in the later period, when children left their homes to live in corporation boarding houses, there were doubtless new dangers and the deprivation of the children from contact with their own families may have been even more serious than the dangers to health and physique from long hours, confinement and hard work.

Efforts at Reform of Child Labor

In 1825 the Committee on Education of the Massachusetts Senate reported that there was no need for legislative interference in behalf of the child operatives. They did state, however, that "this is a subject almost deserving the parental care of a vigilant government." Even as late as 1842 a ten hour law for children in industry, under twelve years of age, was ineffectual, owing to a clause which penalized only those who knowingly violated it.

The significance of this situation in the third decade of the nineteenth century is vigorously presented by Calhoun in his *Social History of the American Family:*

"A Boston paper of 1832 contains reference to tables showing the gain to the community from having women spin and weave in factories instead of at home. In the factories they may earn perhaps one hundred twenty-five dollars each per year. But the strain of factory labor, of a different nature from old-fashioned home industry, however trying that may be, coupled with unsanitary surroundings and unhygienic habits, raised a serious problem with regard to the health of the future mothers of the race, a problem that is still unsettled. In this way factory industry has an additional bearing on the family. In the early factory with its long working-day the ventilation and lighting were poor, and the corporation boarding-houses were overcrowded and unsanitary. (The Lowell Manufacturing Company's rules, 1830–1840, provided that all employees must board at the company house and observe its

minute regulations.) Factory girls often slept six to eight in a room and even three in a bed. A delegate to the first National Trades' Union Convention (1834) asserted that the cotton factories were 'the present abode of wretchedness, disease, and misery.' Mr. D. entered into a description of the effect of the present factory system upon the health and morals of the unhappy inmates, and depicted in a strong light the increase of disease and deformity from an excess of labor, want of outdoor exercise, and of good air—of the prevalence of depravity from their exposed situation, and their want of education, having no time or opportunity for schooling, and observed, that the decrepit, sickly, and debilitated inmates of these prison houses were marrying and propagating a race of beings more miserable if possible than themselves. . . .'We talk,' said Mr. D. 'of the rising generation! What must that generation be, coming from such a stock of disease and deformity!' "

Public Relief of the Poor

Few were the families of wealth in the early years which we are considering, and the incomes of many families in the state were too small to provide for their comfort and well-being. The complacent attitude of some of the well-to-do with regard to the condition of the poor is well illustrated in an election sermon by the Reverend John Allyn, May 29, 1805. "The rich," Allyn affirmed, "would be less happy without the poor to administer to their leisure and ease; and the poor, in turn, are profited by the stewardship of the rich, whose enterprise, providence and economy enable them to reward their labour and relieve that indigence which springs from indolence, wastefulness and vice, or from sickness and misfortune."

Public outdoor relief, or relief of the poor in their homes, continued in practically the same form which characterized the colonial period, as described in the preceding volume of this work. Cases of poverty were openly discussed in town meeting and in great detail, without consideration for the feelings of the persons in question; and then a sum of money in relief would be voted. Thus, for example, the Town of Easton in May 1799 voted to Abiel Kinsley nine pounds, four shillings for "shoger and rum for David Randall's family."

Four pounds, ten shillings was voted to Thomas Manley for a coffin and for digging the grave for Seth Hogg. Four pounds was voted to Israel Woodward for a grave cloth for Seth Hogg and for two quarts of rum expended about the time of his death.

The selling of the poor to the lowest bidder continued into this period. Thus an item in the warrant for the Gardner town meeting of January 5, 1789, reads as follows:

"To see what method the town will come into to take care and provide for Oliver Upton and his family; to vendue them out to the lowest bidder, or to take some other method, as the town shall think best when met. Voted, To vendue them to the lowest bidder. Voted, to choose a committee to draw the condition of sale. The condition of sale of Oliver Upton and his wife are such, that the lowest bidder have them until March meeting, with their household stuff, and to provide victuals and drink, convenient for them; and to take care of them. The Selectmen to take a minute of his household stuff. Also the children to be let out to the lowest bidder until the selectmen can provide better for them; and to provide victuals and drink for them.

"Oliver Upton & wife bid off by Simon Gates, at one shilling per week. Oldest child bid off by Simon Gates at one shilling per week. Second child bid off by John Haywood at ten pence per week. Third child bid off by Andrew Beard, at one shilling two pence per week. Fourth child bid off by Ebenezer Bolton, at one shilling, nine pence per week."

Difficulties of Poor Reform

Although the methods above stated seem heartless, we find in this period the beginning of a constructive policy for the rehabilitation of the poor. Thus Chelsea voted twenty pounds to enable a man named Dispau to complete the erection of a dwelling for himself and his family. The town of Harvard in 1753 built a house for Joseph Blood and family. Five years later the town sank a well on the premises; and in 1762 bought them a cow, which, upon the death of the family, they sold in 1778 by vote of town meeting. In 1813 the town of Ashfield built a log hut on town land for Tim Warren, and the

selectmen were "to oversee him and see that he gets a living for himself and family."

Public indoor relief continued to develop, though supplemented in Massachusetts by outdoor relief as described above. The conditions in the almshouses were as undesirable as those in England during the same period, for the almshouses had neither hospital facilities nor workshops. The Boston almshouse, which was authorized by the General Court in 1735 and opened in 1739, was investigated by a special committee in 1790, who reported: "The almshouse in Boston is, perhaps, the only instance known where persons of every description and disease are lodged under the same roof and in some instances in the same contagious apartments, by which means the sick are disturbed by the noise of the healthy, and the infirm rendered liable to the vices and diseases of the diseased, and profligate."

To remedy these evils, the construction of a new plant was begun in 1790. Kelso, in his *History of Poor Relief in Massachusetts,* however, reports that "no adequate provision was made for the employment of the able-bodied poor until 1821, when the House of Industry was established as an institution separate from the almshouse." Kelso goes on to state that "the values of classification were not long retained even by this expedient: for according to the eleventh annual report of the House of Industry, rendered in 1834, its population was made up of 61 persons who were either insane or idiotic, 134 who were sick and infirm, 104 boys and girls of school age, 28 children at nurse, and an unclassified remainder of 201 among whom were 64 men who worked at picking oakum. From an institution for the employment of the able-bodied poor, it had fallen to the level of the unclassified almshouse."

"The story of almshouse care in Boston is, with due allowance for the complication due to her location as the chief port of the region, the story of almshouse care in other places. Almshouses were shelters where all classes of dependents were housed, fed, and clothed. Unclassified grouping tended to level the best down to the grade of the worst."

The special report of the Department of Overseers of the Poor in Boston in 1821 states that the almshouse population of that year comprised 78 sick persons, 77 children, 9 maniacs

and idiots, 155 unclassified inmates mostly old and decrepit. The almshouse children, said to average 150, were stated to include "orphans and others." Kelso in his summary of the report states:

"Some attempt was made to classify them in two groups according to sex, and to give them rudimentary schooling. The accommodation in the House of Industry at the same period revealed the same unclassified mixture. There were eighty-seven lodging rooms for the poor; six cells for punishment; six dormitories for insane men; eight for insane women; and a schoolhouse in which the children were instructed. They lived among the paupers, the vicious and the insane. Instead of a house of industry, that establishment was in 1821 a general infirmary, an asylum for the insane, and a refuge for the deserted and most destitute children of the city. The inmates themselves looked after the small children and the lunatics, while the older children looked after themselves. Of the one hundred and eighty-three children then resident at the House of Industry, ninety-five were of foreign birth or parentage."

The Law of Settlement (1789–1794)

The Massachusetts law of inhabitancy and settlement was completely revised in 1789. Under its provisions, a person acquired settlement in a town who, prior to April 10, 1767, had lived there a year without "warning out"; or if he had obtained settlement by birth, marriage, or otherwise; or if he owned an estate or freehold in the town with a clear annual income of three pounds and occupied the premises for two whole years; or if, after the age of 21, he had resided in one town and paid town taxes for five consecutive years; or had resided there ten years without being "warned out." A wife obtained the inhabitancy of her husband, and legitimate children were deemed inhabitants at birth.

The following year, however, the law was revised to require three years of residence instead of two, and in 1791 it became four years instead of three. In 1793 it was extended to five years. It is obvious, therefore, that the towns of Massachusetts were continuously attempting to dodge the burden of

supporting the local poor, and to thrust that burden upon the state.

Hence, February 11, 1794, a comprehensive state law of settlement was enacted, which has been summarized by Kelso as follows:

"1. A married woman follows and has the settlement of her husband if he has any: if not, she retains her own at the time of her marriage.

2. If the unsettled husband of a settled wife requires aid from the State, he shall receive it in place of her settlement, the State reimbursing.

3. Legitimate children follow and have the settlement of their father, if he has any, until they gain for themselves; if he has none, then they follow the mother in like manner.

4. Illegitimate children follow the mother's settlement at the time of their birth if she had any; but no child gains settlement by birth if neither parent had a settlement in the place of birth.

5. Any citizen 21 years or over who has an estate of inheritance of £3 yearly net income, taking the rents and profits three years in succession, is settled in the town where he has such estate and so dwells.

6. Any citizen, as above, who has an estate of freehold of £60 value and pays taxes on same for five years in succession is settled where he has such estate.

7. Any town officer is settled *ipso facto*.

8. A settled and ordained minister is settled in the place of his pastorate.

9. Any person may be admitted to settlement by town vote after article is placed in the warrant for such consideration.

10. Any minor who serves four years' apprenticeship and actually sets up in business in the town where he has served within one year after his term, being then 21 years old and who continues such trade for five years, is settled in that place.

11. Any citizen 21 years or over who resides in any town for ten years and pays all taxes duly assessed for any five years within that time is settled in that town.

12. Every settlement when gained continues till lost or defeated by the gaining of another elsewhere."

Illegitimacy was recognized as a special problem by the legislature as early as 1789. In that year a statute stated that an illegitimate child "shall be deemed and taken as an inhabitant with his mother." This means that under the law of settlement, during his minority his settlement follows hers. In the Settlement Act of 1794 this was changed, and the child was to continue to have the settlement of the time of his birth, even though that of his mother should change. The present law of Massachusetts reverts to the practice of 1789 so that the child and mother may be kept together.

Care of Defectives

In Chapter 44 of the Resolves of 1819, Massachusetts provided for the support of the deaf, dumb and blind by boarding selected cases in the Asylum at Hartford, Connecticut. "Thereafter," Kelso reports, "the appropriation was always exhausted and the quota from Massachusetts always filled. Down to 1865 an amount somewhat in excess of $306,000 had been expended for this class of dependents."

The need of special care for the blind, though recognized in this Act of 1819, was much more deeply studied a few years later, after Doctor John D. Fisher had visited in Paris the school founded by Valentin Hauy. Money was raised in 1827 to collect information on the number of blind persons in need of schooling. At a meeting held in the Exchange Coffee House on February 10, 1829, it was estimated that there were 400 blind persons in Massachusetts, and 1500 in the New England states. The meeting agreed to organize a school, and in the same month asked the Legislature to incorporate it as "The New England Asylum for the Blind." This was done unanimously and without debate, and provision was made for a census of the blind. A board of trustees was established, to include the Governor and Lieutenant Governor of the state, the President of the Senate, and the Speaker of the House of Representatives. This was the beginning of the Perkins Institution and Massachusetts School for the Blind, now recognized as one of the leading educational institutions in the world for blind children. The impetus for this great charity, which influenced the whole country, was

principally the public spirit and generosity of Joseph Perkins of Boston.

Public interest in the problem is displayed in articles in *The Columbian Centinel* of Boston, January 17, 1825; *The Boston Recorder,* February 29, 1829; *The National Philanthropist and Investigator,* March 18, 1829; as well as in *The Boston Athenæum* of 1820 (page 221), and *The New England Galaxy* of February 27, 1827, and August 15, 1828.

One of the organizers of the school was the historian William H. Prescott, who was himself blind. Doctor Samuel Gridley Howe was made director of the school, and in 1831 visited schools for the blind in Edinburgh, Paris and Berlin. He brought back with him two blind teachers, one from Edinburgh and one from Paris. In August, 1832, the school was opened temporarily in the home of Dr. Howe's father, and had six pupils. In 1830, the Massachusetts Legislature appropriated $1,500 for the school, which was the unexpended balance of a previous grant for the deaf. This appears to have been the first appropriation of public money in America directly for the benefit of the blind.

Private Charities

Public relief of the poor from the beginning had been supplemented by the gifts and kindly services of individuals. The organization of private agencies for philanthropy, however, virtually begins in the period following the Revolutionary War. At least one lasting church charity was established prior to this period. It was the Quarterly Charity Lecture, founded in Boston in 1720. On March 6, 1720, Cotton Mather opened the series of lectures. The collections made were distributed equally among four Congregational churches of Boston who, in turn, dispensed them in charitable service to the poor.

To the earlier period belong also the Scots' Charitable Society, 1657; the Charlestown Poor's Fund, 1674; the Stoughton Poor Fund, 1791; the Charitable Irish Society, 1737; the Poor Widows Fund, 1759; and the Pemberton Fund, 1760.

The year 1816 saw the establishment of as many lasting charitable enterprises as had been founded and incorporated

in the two and a half centuries that preceded the Federal period. The notable list for the years 1786 to 1824 includes the following: 1786, Massachusetts Congregational Charitable Society; 1786, Massachusetts Humane Society; 1791, Franklin Fund; 1794, Roxbury Charitable Fire Society; 1794, Massachusetts Charitable Fire Society; 1796, Boston Dispensary; 1800, Boston Female Asylum; 1811, Massachusetts General Hospital; 1816, Widows' Society; 1816, British Charitable Society; 1816, City Missionary Society; 1817, Boston Fatherless and Widows' Society; 1818, McLean Asylum for the Insane; 1818, Penitent Female Refuge and Bethesda Society; and in 1824, the Massachusetts Charitable Eye and Ear Infirmary.

Contemporary social service was emphasized in the Unitarian movement under the leadership of William Ellery Channing, and of his classmate, Joseph Tuckerman, who was the first minister at large under the American Unitarian Association. Tuckerman was born in Boston in 1778, graduated from Harvard College in 1798, and entered the ministry. After twenty-five years of parish work, he devoted the remainder of his life to work as city missionary among the Boston poor. It was in 1832 that he organized a company of visitors to the poor, and in 1833 he brought together ministers at large of all denominations for consultation. This led in 1834 to the formation of the Association of Delegates from the Benevolent Societies of Boston.

The Society for the Prevention of Pauperism of Boston, which later became the Industrial Aid Society, was established in 1835, as a result of Dr. Tuckerman's appeals. As its name suggests, its purposes were primarily preventive rather than remedial, and it was one of the pioneers in constructive social service. Francis G. Peabody, in writing of Tuckerman's six years of service as minister at large, states: "This very brief and inconspicuous undertaking...must always remain the starting point for any history of scientific charity in this country." Tuckerman's reports give a comprehensive picture of the problems of their time, dealing as they do with problems of wages, public education, public and private poor relief, and moral education.

Prophetic Recognition of Poor Children as Public Wards

The period of three decades following the establishment of the American and Massachusetts constitutions ends with a brilliant document composed by Josiah Quincy, first mayor of Boston in 1820. This was a legislative report dealing primarily with problems of public poor relief. The inauguration of town and district almshouses was recommended, but with "regular and annual superintendence of the Legislature" of the whole question of the poor, of whom there were said to be 1,100 adults and 450 children in receipt of relief as state poor.

The most striking contribution of Quincy's report, from the contemporary point of view, was its formulation of standards for state responsibility for dependent children and for the betterment of child life.

In Quincy's own words: "Those who are poor and in infancy or childhood. . . *have a right to require from society a distinct attention and more scrupulous and precise supervision.* Their career of existence has but just commenced. They may be rendered blessings or scourges to society. Their course may be happy or miserable, honorable or disgraceful, according to the specific nature of the *provision made for their support and education.*"

Although little was immediately accomplished as a result of this report, one may ascribe to it, perhaps more than to any other one document of the period, the developing constructive interest in childhood which led in later years to the pioneering work in child guardianship for which Massachusetts is justly renowned. The juvenile court and probation system of Massachusetts, as well as the present remarkable system of caring for State minor wards under the Commissioner of Public Welfare, unquestionably had their roots in the early penetrating studies made by highly trained public servants of the stamp of Josiah Quincy and Joseph Tuckerman.

Progress of Public Sentiment

This period, then, though characterized by relative backwardness in public education, and by uncontrolled exploitation of children in the initial stages of large-scale manufac-

ture, was one of rapidly developing social conscience and of pioneering activity in judicious and forward-looking social legislation. Breadth of vision was perhaps best exemplified in the abolition of slavery, and was progressively illustrated in the remarkable series of attempts to improve the public law relating to poor relief. These protests brought about the Quincy report of 1820, the establishment of a State-controlled institution for the blind, and the social-service activities somewhat later of Joseph Tuckerman. They prove that the preventive and constructive social policies of the twentieth century, for which Massachusetts is justly famed, had their roots, not only in the town meeting's struggle with poverty and other social problems, but also in the social leadership freely offered by highly trained men in the service of their Commonwealth.

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CHAPTER XVIII

COMMERCE AND INDUSTRY (1789–1820)

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The Situation at the End of the War

The boom of guns at Lexington and Concord announced the close of the first great period in the maritime history of Massachusetts. For a time American merchant ships were almost driven from the seas; fleet schooners, sturdy fishing boats, and craft of all kind sought refuge in their native harbors, either to remain idle or to be refitted as privateersmen. Massachusetts furnished more than her share of the latter. "It was but a short time," declares one writer, "until lines and tubes had given place to cutlasses and swivels; out of sounding-lead bullets had been melted; the hold of vessels, once filled with salt and fish, furnished commodious quarters for a score or two of fighting seamen; barvels had been exchanged for American uniforms for men who were as eager now to train their guns upon British men-of-war as they had been but a few weeks before to cast their lines on the Grand Banks of Newfoundland." The activity of Massachusetts in this mode of warfare is discussed in detail in another chapter of this volume. It is shown by the fact that the Continental Congress issued six hundred and twenty-seven letters of marque to her vessels; and the General Court issued a greater number. For a time profits were realized; but by the close of the war few indeed were the white sails that dotted the harbors along the coast of Massachusetts. Newburyport, for example, lost no less than twenty-two ships and over one thousand men. In 1783 four fishing vessels left Chatham harbor in place of the twenty-seven sturdy craft which had lined her wharfs a decade earlier. The vessels of Marblehead were reduced from

12,000 in 1772 to 1,500 in 1780, and of the whaling fleets of Dartmouth and Nantucket, only four or five remained out of two hundred sail. The situation at the close of the war is well stated by McFarland as follows:—

"The fishing industry had been shaken to its foundations by a decade of inactivity and suspension. There had been a rapid and disastrous depreciation of the property used for the furtherance of fishing interests. Wharves had fallen into decay, mainly through lack of trade to keep them in repair. Many vessels, too, had become valueless for the same reason; others had been employed in the privateering service, never to return as fishing vessels. Flakes and other shore apparatus used in curing fish had long since disappeared. Men, too, had lost the habit of their old vocation in following varying fortunes of service in the army and navy. The younger generation of boys had received little training in the shore fisheries, such as their fathers had, and none of them acquired practical experience in grand deep sea fishing by a trip to the Bank, as 'cut-tail' aboard a New England Schooner."

Slow Recovery (1783 – 1793)

The recovery from this maritime depression was naturally slow. A sound government, stable currency, public credit, and regulation of trade were necessary for complete reaction. Adding to the discouraging domestic situation, Great Britain in 1783 closed the West India trade to American vessels, and thus deprived Massachusetts of her most profitable foreign market for the products of both the cod fisheries and the whale fisheries. Moreover British restrictions on American commerce tended to encourage the rival fisheries of Nova Scotia and elsewhere. Even after a period of years, when four-fifths of the Grand Banks fleet was again on the seas, the profits were so small that many hardy fishermen were enticed to Halifax and other British ports by the liberal offers of British masters.

The whale fisheries recovered even more slowly than the cod fisheries. During the Revolution many whalers, slow and clumsy, converted into privateersmen, were captured; and many others rotted at the wharves. After the war the English

market was either absolutely closed, or, by the duty of £3 10s. a ton on whale oil, effectively barred to the products of the whale industry. Although the General Court offered a bounty to the whale fisheries, it was not sufficient to remedy the situation. As a consequence, against the three hundred whaling vessels that sailed into the ports of Massachusetts in 1774, scarcely one hundred set out in 1789. Before the Revolution, Nantucket was the foremost whaling center in America, outstripping Falmouth, Barnstable, and Gloucester, and sending out each year one hundred and fifty ships. At the close of the war its industry was dead, and it was only beginning to experience a revival by 1789

Competition (1789 – 1807)

Shipbuilding reflected the common depression. Before the Revolution approximately one hundred and twenty-five ships were launched each year from the yards of Massachusetts. After 1783, and until long after 1789, not more than forty-five ships were launched annually. Massachusetts saw her harbors filled with foreign flags rather than American. There were other special disadvantages. Most of the marine insurance was written in England, and higher rates were charged for ships of American construction than for those of English build. Port charges were higher on American vessels at British ports than on British ships at American ports. For a ship of one hundred and sixty tons the difference amounted to £9 6s. 2d. In 1789 Congress sought to counterbalance this discrimination by placing a heavier tonnage tax on foreign than on American ships; and by allowing a 10 per cent rebate on the duties on goods brought in by the latter class.

The general maritime situation of the United States in 1789 is strikingly illustrated by the fact that England had at that time a fleet of 94,110 tons engaged in the American carrying trade; while the entire fleet of the United States engaged in foreign commerce amounted to only 123,893 tons. Whatever may be said about the outlook in 1789, Massachusetts had much of which she could boast in the way of progress since 1783. If her cod fisheries were still unprofitable, she at least had recovered a large proportion of her former tonnage. Yankee ingenuity was equal to almost any occasion;

and in spite of the restrictions placed on American bottoms engaged in the British West Indian trade, a surprising amount of tonnage had been restored by 1789. As Samuel Morison phrases it: "a Massachusetts vessel putting into a British port *in distress* was likely to obtain an official permit to land its cargo and relieve the *starving population.*" France gradually opened her insular possessions, and Spain opened certain of her ports to American shipping. Small craft were carrying lumber, provisions, horses, cattle, mules, sheep, geese and turkeys to the West Indies, and returning with rum, molasses, sugar, wine, pimento, pepper, coffee, indigo, and salt. In the shops of Boston, with their brilliantly painted signs, one could purchase crimson velvets from Geneva, linens from Ireland, Prussian bonnets, and countless wares from all over the world.

Revival of the Cod Fisheries (1789 – 1807)

The Massachusetts cod fishery was far from flourishing in 1789. Under the tariff act of that year, a duty was laid on molasses, rum, hooks, line, lead, cordage, duck, hemp, twine, and other articles used by fishermen. The industry was so unprofitable that in 1790 thirty-three vessels from Marblehead alone were withdrawn from that service. The distressing state of the fisheries was brought to the attention of Congress, with the result that on July 4, 1789, the first measure of relief was granted. The act allowed a bounty of five cents on every quintal of dried fish, and a like amount on every barrel of pickled fish, produced by American fisheries and exported to a foreign country. In August, 1790, the bounty was doubled.

Since these measures did not materially alter the continued depression, the General Court petitioned Congress for further assistance. The petition was referred to the Secretary of State, Thomas Jefferson, who placed before Congress an able report citing the conditions which were disadvantageous to fishermen under the tariff of 1789. Under the guiding hand of Senator George Cabot, Congress enacted a measure "for the immediate encouragement" of the fisheries. According to the act the bounty on the exportation of dried fish was abolished; in its place a specific allowance was made of from one dollar to two and a half dollars per ton to be paid annually to vessels engaged in the cod fishery. In addition a rebate was

allowed on the duty of imported salt used by cod fishermen. The rate of allowance was determined by the amount used; but in any event the maximum was $170 annually for each vessel. In 1797 the maximum allowance was increased to $272.

After 1790 the cod fishing industry experienced a revival, but it is probable that the artificial encouragement extended by the Federal government was of less importance than the general growth and development of the United States. The increased industrial and commercial activity of the Atlantic seaboard, and the increase in population, occasioned a greater demand for all products of the fishing industry. At any rate, from 1789 to 1793 the total fishing tonnage of Massachusetts increased from 19,185 to 50,163 tons. It experienced a decline in 1794 and 1795, revived again after 1796, and by 1807, when the shadow of the Embargo fell over the land, had attained a tonnage of 69,306 tons. For ten years preceding 1808 the average yearly export of dried fish was 438,453 quintals, and the average yearly export of pickled fish for approximately the same period was 61,538 barrels.

Expansion of Massachusetts Ports (1783 – 1808)

The expansion of the fisheries during the first seven or eight years of the nineteenth century may be traced in the growth of the coast settlements of Massachusetts. In 1798 the town of Eastport was incorporated and became one of the most important of a chain of fishing settlements stretching from Piscataqua to the Saint Croix. The fishery at the Piscataqua and nearby ports in 1791 sent out a fleet of twenty-seven schooners and twenty boats aggregating 630 tons.

The story of Marblehead offers an example of what has been called the "renaissance of the fisheries." The large foreign commerce that Marblehead had enjoyed before the Revolution was almost absolutely discontinued by 1783. After that time her population turned to the fisheries and made remarkable progress. So great was their development that Marblehead became the foremost cod-fishing port in the United States, and her schooners were the best of the New England fishing fleet. Later, when the carrying trade became profitable, she sent her larger ships to Lisbon, Havana or St. Peters-

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From negative owned by Mr. Frank W. Bayley

PETER FANEUIL

burg; and by 1808 Marblehead was one of the important ports of the Atlantic seaboard.

During the period under survey Massachusetts fishermen sought a wider range for their industry. The Labrador area was the first to experience this expansion. Newburyport, for example, sent her first ship to the Labrador area in 1794, but by 1809 the fleet hailing from that port alone numbered forty-five vessels. By 1808 probably three fourths of the dried fish exported from Massachusetts were taken from that area. Merchants began to send larger ships to the Labrador coast to replace the smaller ones, while British merchants surveyed the activities of the enterprising Yankee fishermen with jealous rage. About 1808, a British observer counted nine hundred American ships that passed the straits of Canso; and a Boston observer declared that 1,232 vessels were employed annually in the Bank, Labrador, and Bay fisheries.

Gloucester did not recover her fishing industry as rapidly as her neighboring ports. According to one estimate she sent out only fifty ships in 1789, and by 1804 her fisheries had so declined that only eight vessels of more than thirty tons left for the fishing grounds. She maintained, however, a large number of smaller craft, especially the "Chebacco boat," short but seaworthy, in which Gloucester men took cod, haddock or pollock from the banks along the Maine coast. By 1804, Gloucester owned two hundred Chebacco boats. If, however, the fisheries of Gloucester declined, her trade increased. Enterprising merchants secured a hegemony of trade with Surinam; and it was said that her ships were better known in Dutch Guiana than in American ports.

At the close of the Revolution the Plymouth fisheries were of small importance, but by 1789 they expanded to include cod, mackerel and herring. By 1802 Provincetown alone employed thirty-three vessels in the cod fishery. Her ships sent to Labrador and Newfoundland brought back annually $100,000 worth of fish. The population of Cape Cod increased from 17,000 in 1790 to 22,000 in 1810. Besides engaging in the cod fishing, the enterprising citizens of Plymouth, Provincetown, Barnstable and Woods Hole sent out whaling fleets and engaged in other maritime enterprises.

The Whale Fishery (1789 – 1812)

The whale-fishing industry made some progress in this period, but reached its zenith after 1820. In 1789 only 122 vessels were engaged in whale fishing from the ports of Massachusetts. Of these Dartmouth and New Bedford numbered fifty and Nantucket thirty-six. In 1783 increase in the number of lighthouses that used sperm oil widened the market, and in the following year France opened her markets to American whale products. These things, together with the general increase of industry and commerce, enabled the whaling industry to experience a revival.

As was the case with the cod fisheries, new areas of enterprise were sought. In 1788 Nantucket sent the *Ranger*, the first American whaler to enter the Pacific. This ship returned in 1789 with 1,000 barrels of whale oil. Two years later the *Beaver,* 240 tons burden, was fitted out for the Pacific, with a crew of seventeen men, forty barrels of salt provisions, three and a half tons of bread, thirty bushels of peas, 1,000 pounds of rice, forty gallons of molasses and twenty-four barrels of flour. She returned two years later with 1,200 barrels of whale products. Whales were also found in large quantities on the coast of Chile; and by the turn of the century ships from New Bedford and Nantucket were profitably engaged either on the Pacific or in the South Seas. The extension of the whaling industry to distant waters occasioned the construction of larger ships, and that eventually proved the doom of Nantucket as the chief whaling port in America; for large ships had difficulty in crossing the bar at her harbor's entrance. For a time, however, Nantucket reigned supreme. It was said that the "entire population followed the sea," and that even the "cows came down to the harbor's edge to browse, and take in the scene of maritime activity."

The Embargo Act of 1807 did not include whaling vessels in the prohibited list, but it prevented exportation of the products and made profits uncertain. Since it took from two to three years to complete a voyage to the Pacific, many ships were at sea when the War of 1812 broke out. For these reasons, at the close of the war Nantucket had but half of her former whaling fleet.

Revival of Commerce (1789 – 1808)

The prophet Emerson has asserted that "from 1790 to 1820 there was not a book, a speech, a conversation, or a thought in the state of Massachusetts." Brissot de Warville appears to furnish an explanation of this charge; when speaking of Boston, he said: "Commerce occupies all their thoughts, turns all their heads, and absorbs all their speculations." If they had no "brilliant monuments," at least they had "excellent ships." Henry C. Adams declared that the history of American shipping from 1780-1807 "was without parallel in the history of the commercial world." Yet from the most ancient times commerce has been held to be a civilizer.

The reasons for this increased trade were numerous. The adoption of the American Constitution in 1789 was of prime importance, for American merchants found that European governments were "sensible to the weakness and inefficiency of the American Confederation." The first tariff act passed by the new government (1789) levied a tonnage duty on foreign bottoms amounting to eight times that which was placed on American ships. This payment was required of a foreign ship each time it entered an American port, while American ships paid it only once a year. As a result, foreign ships were practically excluded from coastwide trade, and placed at a serious disadvantage for over-sea traffic. In addition, a ten per cent rebate was allowed on the duty of goods landed in American ports in American ships.

American commerce was measurably benefited by a series of commercial treaties, of which, the Jay Treaty of 1794 with England, the treaty of San Lorenzo with Spain in 1795, and the Convention of 1800 with France were the most important. Moreover, the United States gradually acquired a small navy which secured some measure of respect to our merchantmen. The Napoleonic wars in Europe directly affected our carrying trade. Whenever those wars were most widespread our trade was benefited and during the periods of peace it suffered. From 1803 to 1805 the United States was the largest carrier of goods from European ports to the ports of other European countries, possessing a million tons of shipping of which 426,000 belonged to Massachusetts. From 1790 to 1807 the

value of American exports increased from $2,500,000 to $20,000,000.

In addition to the great amount of tonnage engaged in the foreign trade, Massachusetts owned seven eighths of the fishing tonnage of the United States and a greater percentage of the coastwise tonnage than any other State.

It is hardly an exaggeration to say that commerce occupied all the thoughts of the maritime State of Massachusetts, for it has been estimated that her ships brought home some $15,000,000 in freight money alone. Massachusetts was dominated by the merchant class during this period as completely as the South was by the planters at a later time. Every European port was familiar to the captains of Massachusetts; and when the direct Oriental trade slackened, other outlets were sought. Salem ships gathered commodities at Amsterdam and San Sebastian, to sell them again at Bordeaux or Hamburg. Moreover the India trade itself was closely allied with European commerce. An Indiaman often gathered goods of all kinds at West Indian ports and exchanged them for specie in Europe, with which oriental goods were purchased. Such a cargo might again be sold and bought before the ship reached its home harbor. South America was familiar with Boston traders before 1800; and Japan saw the first American ensign flying at the staff of a Massachusetts ship in 1791.

Opening of the Oriental Trade (1785 – 1791)

No phase of the maritime history of Massachusetts is more dramatic than that of the Oriental trade. It is difficult to determine when that trade first aroused American merchants and seafaring men. Certain it is, however, that in 1783 such ideas were current in Salem; for in that year a small sloop, the *Harriet,* from Hingham, sailed for China with a cargo of ginseng. The *Harriet,* however, reached no farther than the Cape of Good Hope; so that the honor of being the first American ship to drop anchor in Chinese waters is accorded to the New York vessel *Empress of China,* in 1784. The following year, Elias Hasket Derby cleared his ship, the *Grand Turk,* from Salem for the Isle of France, and finally for Canton; whence she returned in 1787, bringing wealth and adventure in her wake.

If the success of the *Grand Turk* inflamed the imagination of Massachusetts merchants, the arrival at Boston in 1790 of the *Columbia* proved the worth of a different line of commerce. A serious difficulty with the China trade lay in the dearth of suitable commodities for exchange. Hence a group of Boston merchant adventurers, probably with some knowledge of the Russian fur trade in the Bering Sea, conceived the idea of buying Chinese products with furs previously gathered along the northwest coast of the American continent. The *Columbia,* a ship of 212 tons, and the *Lady Washington,* of less than half that size, were fitted out to try the experiment. Both ships arrived at Nootka Sound in April, 1788; but finding the season too far advanced for trade, were forced to stand by until 1789. In the summer of that year, the *Columbia* proceeded to Canton, exchanged its furs for tea, and returned to Boston westward around the world, thus opening up a new avenue for Yankee energy.

In the fall of 1790 the *Columbia* sailed again, preceded by a seventy-ton brigantine sent out by Thomas Perkins, and followed within two months by yet another vessel. *The Independent Chronicle* of Boston, October 27, 1791, contained the following notice: "Upwards of seventy sail of vessels sailed from this port on Monday last for all parts of the world. Among them was the ship *Margaret,* James Magee, Esq., Commander, bound on a voyage of observation and enterprise to the northwest coast of this Continent. This vessel is copper bottomed, and is said to be the best provided of anyone that ever sailed from this port."

Other ships followed the *Margaret* to the northwestern coast, soon to be known as "the coast," a phrase not yet extinct as applied to the eastern shore of the Pacific. So rapidly did the idea of this trade spread that, within two years after the arrival of the *Columbia* in 1790, the route to China by way of Vancouver was firmly established. Boston was the center of this fur-trading industry, for Salem men preferred the Cape of Good Hope route. In fact, such was the monopoly of Boston sail on the northwest coast that the natives long dubbed all citizens of the United States who reached them "Boston men."

Course of the China Trade (1790 – 1812)

The "Boston nor'westermen" were generally small craft of 100 to 250 tons, built in the ship yards of Massachusetts and copper-bottomed to prevent the accumulation of barnacles and weeds. If they cleared from Boston in the fall they generally arrived on the "coast" by spring. Although the passage of the Horn was considered hazardous, no loss is recorded of a single one of those sturdy craft in rounding the cape. They were usually armed with from six to twenty cannons, with muskets, pistols, cutlasses, and boarding pikes, in order to combat pirates and the Indians, whom Captain Gray found to be both treacherous and aggressive. In 1803, the natives of Nootka Sound attacked the *Boston* and massacred all the crew save two.

Arriving on the "coast" in the spring, a trader would stop at each Indian village on the sea front long enough to gather what furs were available. Copper, brilliantly colored cloth, chisels, shoes, blankets, nails, and trinkets were among the common articles of trade. The most valuable fur was sea otter and the price varied from one chisel to ten chisels each. Ornaments and trinkets were worth many pelts. As a general thing it required three years for a round trip from Boston to Canton by way of the northwest coast.

The enterprising Massachusetts traders extended commerce whenever opportunity beckoned. Captain Kendrick, of the *Lady Washington,* discovered sandalwood growing wild in the Hawaiian Islands; and after that, sandalwood as well as sea otter was likely to be a part of an American cargo for Canton. In 1796 a Boston ship, the *Otter,* anchored in California waters, despite Spanish restrictions. Ships generally carried letters of friendship written in Spanish, for use in case it was necessary to put into a Spanish port under "stress of weather" —which happened frequently "if the land breezes smelt sea otterish."

Besides sea otter and sandalwood a nor'westerman might carry to Canton a few thousand sealskins. Seals were plentiful from Chile northward, and great quantities could be easily obtained. The price was low, but a hundred thousand could easily be taken in a single ship.

Expansion of Oriental Trade (1790–1808)

At Canton, Boston merchants established agencies. Major Samuel Shaw of Boston, supercargo of the *Empress of China*, returned to Canton in 1808 as the first American consul. He established the firm of Shaw and Randall, which handled goods for a commission of 7½ per cent. Later, after several rival companies were organized, the commission was reduced to 2½ per cent. Trading at Canton was expensive on account of the graft and inefficiency of the officials; but the fur-trading industry thrived. Between 1805 and 1806 American ships carried to Canton 192,202 pelts of all kinds besides sandalwood and other articles.

When the *Columbia* arrived home at Boston in 1790, Oriental goods were being sold in the shops. Fourteen American ships had already visited the Canton market, four of them belonging to Elias Hasket Derby of Salem. After the notable success of the *Grand Turk,* Derby and other Salem merchants sent ships to the East in great numbers. These craft traded along both coasts of Africa, the Dutch East Indies, Manila, Calcutta, and Canton; but seldom if ever adventured to the northwest coast. Ships for China carried many wares, and the trade gave use to many lines of local commerce. Smaller craft were required to collect a cargo not only of wines, lead, and other articles from Europe, but fish, flour, iron, provisions, and tobacco from many American ports. The returning ships brought tea, coffee, muslins, and silks, which again were distributed to the Atlantic ports.

Salem ships engaged in a thriving carrying trade between various Eastern harbors. A clever captain could make a profit from trade between Ceylon, Bombay, Madras, and Bengal, provided that he "tipped heavily and behaved like a gentleman." Captain Jonathan Carnes brought the first cargo of pepper to Salem in 1793. The profit from the voyage was 700 per cent, and the town went pepper mad. In a short time fourteen vessels cleared for Benkulen, and the northwestern coast of Sumatra was a rendezvous for Salem men. Salem for a time was "the pepper emporium of the world."

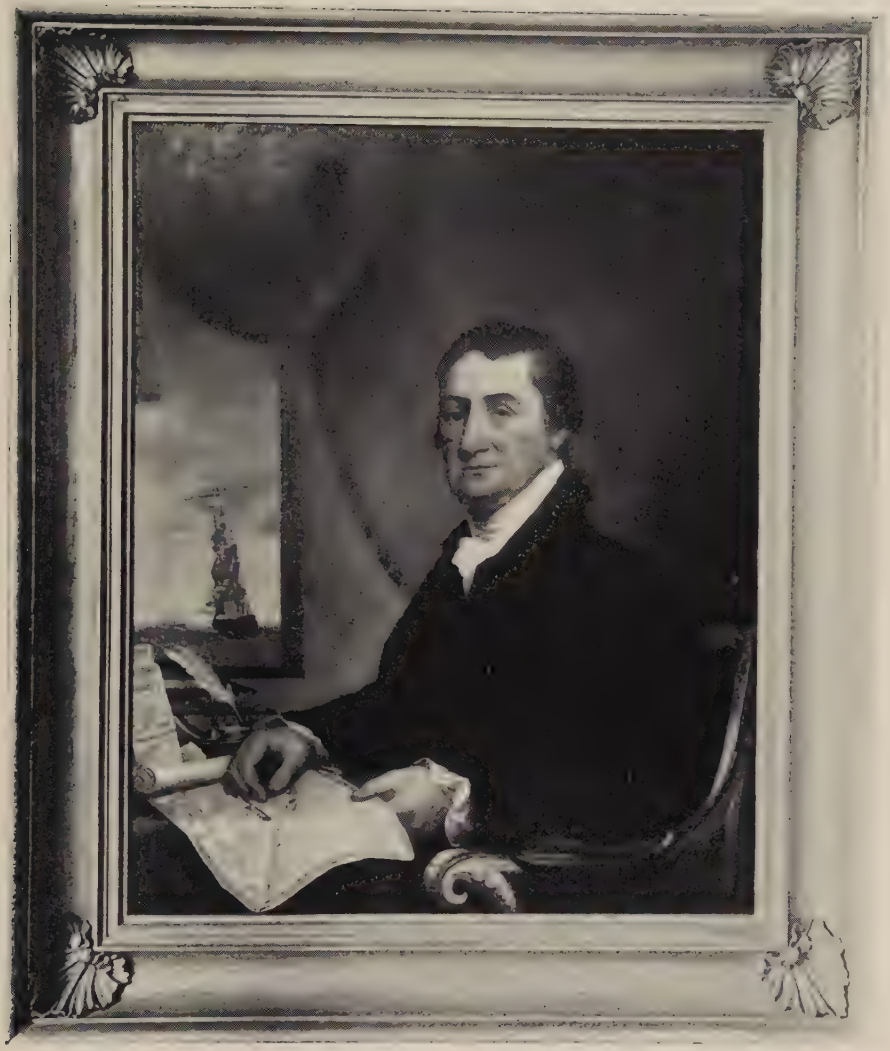
Elias Hasket Derby (1770–1812)

Any survey of the maritime history of Massachusetts during this period would be incomplete without special mention of a few of her notable merchants and captains. Probably the most noted was Elias Hasket Derby of Salem. He was of English extraction and of a family famous as traders for several generations. His father before the Revolution had experienced the rigor of the English admiralty courts in America. His brother John was the owner of the *Columbia* when it reached Oregon under Captain Gray. When the Revolution broke out, "King Derby," uniting with his fellows in Salem, equipped one hundred and fifty-eight ships as privateersman. These ships intercepted transport and supply vessels from England and Nova Scotia, and compelled England to convoy her merchantmen. According to Felt's *Annals of Salem,* privateers sent out from that port captured four hundred and forty-five ships. Derby was one of the few men engaged in privateering who survived the Revolution with fortunes intact.

Derby established shipyards, studied naval architecture, and built a class of ships superior in size, model, and speed to any that had heretofore been launched from the yards of Massachusetts. He was a true "merchant prince," an adventurer of the old school. In 1784 he sent the first American ship to Russia with £8,000 worth of sugar. In the same year the *Grand Turk* was sent to Canton. Derby was later referred to as "the Father of American Commerce to India." At one time he owned one fourth of Salem's tonnage. From 1785 to 1799 he despatched one hundred and twenty-five ships, forty-four of which went to India. Hundreds of captains and merchantmen were trained in his service; and when he died he left an estate of a million dollars.

Notable Merchant Princes

Aboard one of Derby's ships, the *Astrea,* which sailed from Boston to Canton in 1789, was Thomas H. Perkins, who had turned from the West India to the Oriental trade. He returned to Boston in 1790, but visited Canton again and remained long enough to become thoroughly acquainted with commercial conditions there. Perkins and his brother James



Original by James Frothingham, Peabody Museum Courtesy of the Essex Institute, Salem

ELIAS HASKET DERBY

established one of the largest and most successful trading companies, not only of the United States, but of the world. In 1797 he was the president of the Boston branch of the United States Bank. He established the Perkins Institute for the Blind, and gave lavishly to many philanthropic enterprises.

A third notable merchant prince was Joseph Peabody. Starting his career as a privateersman during the Revolution, he was second officer aboard the famous *Ranger*, and first officer under Thomas Perkins. Later he sailed his own ship, the *Three Friends*, and retired from the sea in 1791. He prospered rapidly, built 83 ships, and employed 7,000 seamen.

One of the most famous of the merchant traders of the northwest fur trade was Captain William Sturgis. At the age of sixteen he left Boston as a foremast hand and returned five years later as master of the *Caroline*. He became one of the wealthiest merchants of Boston and a respected member of the General Court.

Equally renowned was Captain John Suter, who came to Boston from Virginia, and went to sea as a foremast hand at the age of seventeen. His experiences extended from impressment into British service to imprisonment in a French dungeon. Eventually he entered the India trade as the master of his own ship. It is a notable fact in the history of Massachusetts that a surprisingly large number of the eminent merchants and other men of the period started their careers either as privateersmen or foremast hands, and thus brought themselves and their families into wealth and social position "through the hawse hole."

Commercial Politics (1789 – 1800)

James Sullivan once declared, anticipating a school of twentieth-century writers, that the "merchants had made the Constitution," and that they should have an important influence in the selection of those who were to control the government. It was patent that the policy of the Federalist administrations of Washington and Adams favored the interests of New England more than that of any other section. The drawback system, the additional duty paid on foreign goods imported in

foreign bottoms, the bonded-warehouse system, and the tonnage duties, all served to aid the commercial interests.

The merchants of Massachusetts considered that their welfare and their interests were closely allied with those of Great Britain. For one thing, credit, which was available nowhere else, could be obtained in London. Moreover London bills of credit were known and recognized all over the western world, whereas American paper became less valuable as the distance from its place of issue increased.

The merchant was also drawn to England as against France. Whatever else the capitalist respected, he upheld property and vested interests; and the French social and political upheaval was dangerous Jacobinism to the Salem or Boston merchants. Finally, there was an ever increasing frontier element in Massachusetts which had scant respect for the commercial classes. Since the frontier farmer possessed an insatiable longing for democracy, he was antagonistic to the hegemony of the maritime interests. The shipping interests, therefore, allied with the local officials and the predominant church, looked askance at the election of Jefferson as President in 1800, and finally turned thumbs down on his policy of commercial coercion as a policy for meeting the oppressions of Great Britain on American commerce.

Massachusetts Under the Embargo (1807 – 1809)

The Boston *Gazette* of January 11, 1808, predicted in detail the sacrifice that the embargo would occasion to New England. It estimated that Massachusetts would lose $38,000,000 annually; and that the loss of interest on that amount was fourteen times the total State tax. Massachusetts was then represented in the Senate of the United States by John Quincy Adams and Timothy Pickering. The former was tired of commercial restriction and wanted action of almost any variety, but Pickering opposed the embargo. "I know," he declared to Ambassador Rose, "that in the present unexampled state of the world, our own best citizens consider the interests of the United States to be interwoven with those of Great Britain, and that our safety depends on hers."

When Adams declined to share his views, Pickering decided to make the embargo a political question in Massachusetts.

He sent to Governor Sullivan a statement for transmittal to the General Court, citing his reasons for opposing the embargo, and implying that Jefferson was in secret league with France. "Those states," he said, "whose farms are on the Ocean, and whose harvests are gathered in every sea, should immediately and seriously consider how to preserve them."

Adams opposed the particularism of Pickering. Although he doubted the efficacy of the embargo movement, he refused to condemn it; for he realized that the alternative was war, which he did not wish to recommend. On the other hand, Adams did not seek to prolong the trade restriction, and at one time proposed its repeal in the case of those States not guilty of acts against neutral shipping. No such half-hearted measure pleased the "old guard," composed of such men as John Cabot, Harrison Gray Otis, and Timothy Pickering.

The consequence was a political contest in Massachusetts in 1807 between the British and the American influences. The letter sent to Governor Sullivan by Pickering was widely read and had great effect. As a result of the State elections of 1808, a majority in the legislature opposed Adams; and he resigned his seat in the United States Senate. Petitions from Massachusetts, asking for the removal of the embargo, poured in upon Congress in great numbers. Between January and April, 1808, 5,571 people of Massachusetts signed such petitions.

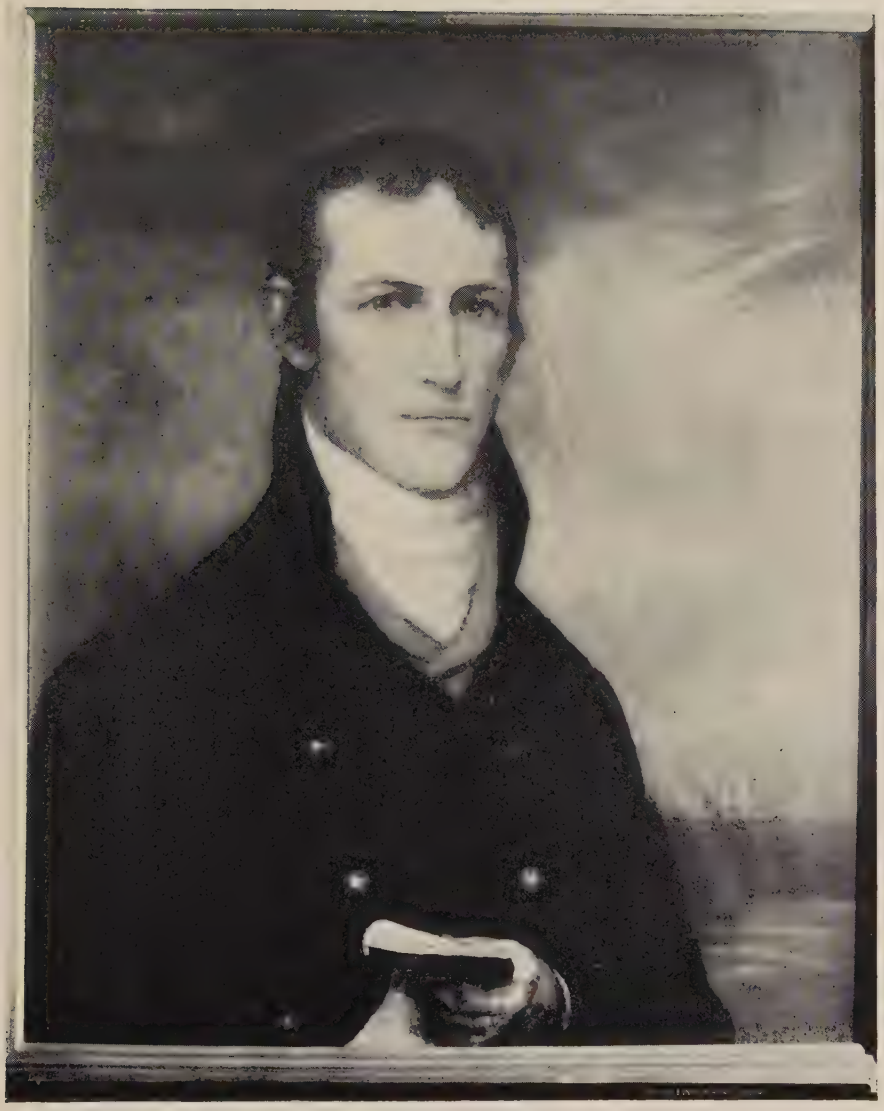
John Henry of Montreal, an unofficial British agent, was admitted "freely" into Boston society, where he found congenial companions. He declared that "men of talents, property and influence in Boston" were resolved to do all expedient things to prevent war with England; and that "a few months more of suffering and privation of all benefits of commerce" would cause the people of New England to secede from the Union. Senator Pickering made substantially the same statement in regard to Massachusetts opinion. Each stated that organized propaganda had been launched to impress upon Jefferson's administration the opposition to the embargo; and each hinted that either singly or together the New England states would eventually negotiate separately with England.

Defiance of the Embargo (1807 – 1808)

While these discussions were in progress among the merchants and politicians, the embargo was steadily violated by Massachusetts. The temptation for smuggling across the Canadian border was too strong to be resisted. The revenue inspectors along the frontier were powerless and often completely intimidated. It was said that few places appeared "to be safe for civil officers to execute the laws." Even Governor Sullivan of Massachusetts admitted that the embargo was everywhere evaded. The President permitted a coastwise trade under strict supervision. Grain could be imported into Massachusetts from the States south of her under licenses issued by Governor Sullivan, but the ease with which these licenses were obtained aided the smugglers. July 27, 1807, President Jefferson declared that the infractions of the embargo in Massachusetts were open. "I have removed Pope of New Bedford," he said, "for worse than negligence.... The tories of Boston threaten insurrection if their importation of flour is stopped." At Newburyport an armed mob prevented a customs officer from detaining a ship, and the President openly rebuked the people of Nantucket and Penobscot for illegal commerce.

Josiah Quincy, whom John Quincy Adams had attempted to convert to the embargo policy, declared that "nature gave the Ocean to New England"; and that any attempt to deprive the people of it was an infringement on their "natural rights." When the Enforcement Act of January 9, 1809, was signed, it was bitterly opposed by Pickering, ambitious for the Presidency and flattered by England. Along with Harrison Gray Otis and others, he declared himself willing to try nullification. For this and other reasons, the embargo was repealed in 1808; and thenceforward the restrictions upon commerce under the Enforcement Act were nominal.

The effect of the embargo on general trade is well illustrated by the decrease in national imports from a value of $138,500,000 in 1807 to $56,990,000 in 1808. During the continuance of the embargo the fishing tonnage of the United States fell off by one half. In 1807 New England exported 473,924



After a miniature by Hinckley, Peabody Museum Courtesy of the Essex Institute, Salem

Hon. Jacob Crowninshield, 1770–1808

quintals of dried fish; in 1808, only 155,808 quintals. The small shipowners and people dependent on shipping suffered serious hardships. Shipbuilding for the time almost entirely ceased, and the trade of Salem, Newburyport, and Plymouth was so seriously damaged that it never fully recovered its former importance.

After the embargo was lifted came a prompt revival of trade. The commerce with Russia was especially flourishing, inasmuch as Napoleon had closed other European ports to intercourse with Russia. It is probable that one hundred ships from Massachusetts were engaged in the Russian trade. The profits were frequently extraordinary, and there is a record of one vessel, worth $7,000, which returned a profit of $115,000 on one voyage.

Massachusetts on Impressments and Privateering (1805 – 1814)

In face of the prosperity that confronted commerce, merchants and shipowners were not inclined to quibble over impressments. They sought to minimize the evil. A committee from Nantucket declared that out of an aggregate of one thousand seamen sent out from that island, only one had been impressed. James Lloyd, a member of Congress, said that no impressments had taken place aboard his ships, and that none of his constituents had made complaints. Peace meetings were organized throughout the State. As a result of this opposition Massachusetts did not send out privateersmen in the War of 1812 as ardently as during the Revolution. Boston, for example, sent out but 31 ships, as against 55 from New York. Marblehead, on the other hand, supported the war and furnished 726 men as privateersmen.

During the first year of the war, before England was thoroughly prepared to protect her commerce, privateering was profitable. Eighteen vessels from Salem captured 87 prizes. The *America,* belonging to Crowninshield, furnishes a good example of a privateersman of the time. She mounted twenty-four guns and carried a crew of one hundred and fifty men and captured prizes which sold for over a million dollars.

Trade With the Enemy (1812 – 1815)

During the War of 1812 probably every port of Massachusetts carried on a more or less extensive illegal trade with England. Some of her merchantmen took out Portuguese papers. Gradually, however, England placed prohibitive restrictions on our commerce. In 1813 only five ships cleared Boston, where in the harbor 246 ships lay idle. The coastwise trade was also effectively stopped, which acted as a strong encouragement to land traffic between the States, known derisively in Boston as the "horse-marine." Goods were frequently sent overland from Boston to Philadelphia and Richmond.

According to a letter from H. A. Dearborn, the collector of the port of Boston, printed in *Niles Register,* an enterprising merchant sent $30,000 worth of materials from Boston to Mexico over a route which led overland from Boston to Providence, thence by water and wagons to Philadelphia, then overland to the Ohio River and down that stream and the Mississippi to New Orleans, thence by land and boats to Mexico.

The British Navy during the war held almost undisturbed sway along the coast of Massachusetts. It established a land base at Provincetown, and another at Penobscot. Frequent forays were made on shore for provisions and there was some destruction of property. Morison states that, in general, raiders were not molested in the Federalist towns, but were driven off by Democratic towns. Provincetown, Duxbury, Plymouth, and Nantucket hastened to declare themselves neutral; and in return received trading permits from the British. Some towns paid ransoms for immunity from attack.

Revival of Commerce (1814 – 1820)

After the war with England, Massachusetts faced maritime depression. Europe revived her own carrying trade, and England was not quick to open her ports to American shipping. To be sure there was a period of intense activity when every ship was needed to place the accumulated produce of the country on the market. At best, this period was short. Moreover many wealthy and influential men were placing their capital in the newly created manufactories. Protective tariffs, not marine drawbacks, were the demand of the hour in Massachusetts.

It was not possible to shift the economic interests of a great State in a moment; and to a certain extent shipping was revived. Boston remained the center of the American trade to India until 1843. Ships were also busied in the importation of raw materials, and the coastwise traffic was soon restored. An important consequence of the changed conditions was the decline of Gloucester, Newburyport, Marblehead, and Salem as centers of foreign commerce. Such of their merchants as retained their former maritime interests rapidly shifted to Boston, which became the one great center of foreign trade in Massachusetts. Salem for a time attempted to revive her East India trade, but never recovered the tonnage possessed in the days before the Embargo.

Recovery of the Fisheries (1814 – 1820)

Though the revival of the fisheries after the Revolution was slow, after the War of 1812 it was rapid. The example of Newburyport is pertinent. In 1809 that port sent forty-five ships to the Labrador fishery; in 1817, sixty-five. Essex had forty vessels engaged in the shore and bank fisheries in 1815. At the same time Salem sent fifty schooners to the Banks, and added sixteen more ships within two years. Marblehead, however, continued to hold the lead as the most important cod-fishing emporium until after 1820. The rapid recovery of this industry is best noted in the tonnage of the Labrador fisheries, which rose from 17,855 tons in 1814 to 64,807 tons in 1817. Congress in 1819 aided the cod fishing industry by placing a bounty on vessels engaged in that industry. The amount varied with the size of the ship, but the maximum was $360 per vessel annually. The tariff of 1816 levied a duty of one dollar per quintal on foreign-caught mackerel, and similar duties on other fish.

The close of the war brought immediate activity to the whale fishery. The first port to resume on an extensive scale was Nantucket. By the close of 1815, six other ports had sent out eighteen ships, and the following year seven more towns resumed the industry. By 1818 vessels were returning from the Pacific with cargoes of oil and a ready market was found for their wares. From 1815 to 1819 the fleet of Nantucket increased from 23 to 61 ships, and in 1821 it numbered 84. The "golden era" of whaling had begun.

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CHAPTER XIX

SEPARATION OF MAINE (1784 – 1820)

By Dr. Louis C. Hatch
Formerly State Historian of Maine

Old Massachusetts and Maine

The union of Maine and Massachusetts was imperfect because New Hampshire was thrust between them like a wedge, extending to the sea. The fellow citizens of the two sections of the State could not visit each other without crossing another jurisdiction, or traversing a part of the ocean. The former frontier counties of Worcester and York gradually took on the characteristics of long settled communities, but while Worcester was less frequently thought of as a part of that rather indefinite district, western Massachusetts, York was still considered, perhaps looked down on, as belonging to that entity fixed by national and natural law, the "District of Maine." In 1778 the Continental Congress had made Maine an admiralty district and it was usually called the "District of Maine",—or, more briefly, the "District." Yet with this arrogance came to be mixed a certain fear. Old Massachusetts contained about 7000 square miles of territory; Maine could boast of 35,000. True, Massachusetts had much the larger population, but that of Maine was rapidly increasing, and it was not foreseen that the rich prairies of the West would prove far more attractive to settlers than the unhewn forests of the East.

If geography and the statutes had joined in separating Maine from Massachusetts, physiography had rendered Maine a group of neighboring territories rather than a unity. In the eighteenth and early nineteenth centuries the rivers and the ocean were the great highways of America. All the important rivers of Maine ran in an approximately north and south direction from the unsettled interior to the

sea, and the inhabitants of the villages of Augusta and Machias found it far easier to obtain transportation for themselves and their goods to Boston than to Bangor.

Maine and Massachusetts were also bound together by business ties. Boston was the importing center for the whole State. Maine merchants obtained an election to the legislature, did some lawmaking and more buying of goods, and then came home without waiting for adjournment. The value of Maine's water powers for manufacturing cotton and woolen goods, to say nothing of electricity, was still unrealized; but the hardy lumbermen of Maine felled the great trees, little sawmills all along the rivers cut them into lumber, and the rich merchants and shipowners of Massachusetts bought them and took or sent them to England, where they commanded good prices.

The forests, however, were a source of division as well as of friendship. About the middle of the eighteenth century old titles and claims, which had lain dormant for decades, were bought up by new partnerships and companies, with a view of selling land to settlers. After the Revolution there developed a serious squatter problem. Pioneers, some rather disreputable persons, others of better character, went on the land, either to cut timber or to make permanent homes for themselves, and refused to leave or to buy at the prices demanded by the owners. As most of the proprietors were wealthy residents of Boston and vicinity, the question was complicated by the usual difficulties of absentee landlordism. In justice to the squatters it should be said that frequently the titles of the "owners" were doubtful, or that they had failed, perhaps through no fault of their own, to place settlers on the lands as required by the grants under which they held. Sometimes a man's farm would be claimed by two or three companies; and even if he were willing to pay a moderate price for quiet possession he could not obtain a warranty deed.

Moreover, long occupancy and the turning of forest land into farm land would not save the holder from eviction. It was said that the land companies allowed improvement to go on until the date had nearly come when quiet possession would bar a suit; and then laid claim. The pioneers formed

associations and resorted to violence to prevent eviction. Agents and surveyors had their horses killed and some of them were shot at and wounded. A surveyor of the Kennebec Company, as it was usually called, successor of the Plymouth Colony, was fatally wounded by a band of masked men disguised as Indians. It was impossible adequately to enforce the law. Men imprisoned for nonpayment of fines had their fines paid by their friends; others who had wounded one of General Knox's surveyors were released to await trial, for fear of a rescue. The men who killed the Kennebec surveyor were put in jail. An attempt at rescue failed, thanks to the resolution of Sheriff Chandler, later a United States brigadier general in the War of 1812, one of Maine's first Senators, and a member of a small junto which dominated Maine politics for about fifteen years; but all the prisoners were acquitted on their trial. There is little doubt of their guilt, but two very able lawyers were assigned as their counsel by the court; and it is said that men of the "better class" were carefully kept off the jury by peremptory challenges. Compassion and fear and the exclusion of important testimony by the strict legal rules of evidence won a verdict of not guilty.

Many voters in Maine who disapproved of murder yet believed that a settler's right was morally better than that of an absentee. They regarded the legislature at Boston as grossly partial to the proprietors. The land question made the District of Maine Democratic, while old Massachusetts continued Federalist.

Roads and Taxes

Other causes of discontent in Maine were the usual complaints of inhabitants of outlying districts, such as lack of roads, and the necessity of making long, hard journeys for the transaction of legal business. Taxation also was considered unfair. Particular objection was made to the taxes on rum because "our orchards are very poor [and therefore unfit for supplying cider], that some spiritous liquor is absolutely necessary, therefore the people in these eastern counties, especially Cumberland and Lincoln, are under a necessity of using more rum than their brethren to the westward, consequently that

the excise operates more heavily on the people here than in any other part of the Commonwealth."

The criticism on the school tax, though perhaps unjustifiable, was not wholly without reason. The impost bore hard on the little towns, and it was alleged that were Maine a separate State the education law would be more suited to her circumstances. Yet if in some respects there was too much education, in others there was not enough, for the youth of Maine were obliged to travel to Cambridge if they wished a college training. The farmers said that their fields were flooded by the millowners' dams. Coast towns were angry because nonresidents appropriated the oysters on their beaches.

Attention to the Grievances

The Commonwealth made various attempts to remove the grievances of Maine. Lots were granted on easy terms to settlers on State lands. General laws were passed for the benefit of debtors and squatters; new counties were erected; and more court sessions were held in Maine. The records of sessions of the supreme court which were held in Maine were no longer sent to Boston, but were deposited in Maine counties. Still, for the sake of uniformity, despatch and correctness, a travelling clerk attended the court through circuit for about twenty years, always officiating as clerk in the court during the terms.

"In 1796 there were some legislative regulations which were of essential benefit to the eastern people. One declared oysters and other shell-fish to be the property of a town, if bedded within its limits, and made it penal to take them," in various Maine towns, "without the Selectmen's permit." Another law "regulated mills, and prescribed a cheap and expeditious mode of assessing and recovering damages, for the flowage occasioned by dams."

Political Grievances

Country districts anywhere usually feel that they pay more than their proportion of the taxes yet get less than their share of the offices. However Maine appears to have made no great complaint about deprivation of political plums, although it was charged that the "Essex Junto" (which the

Eastern Argus of Portland said should be called the "Boston Junto,") believed that the Boston district had a right to a monopoly of the best State offices. No man who was a resident of Maine at the time of his election was ever chosen governor, and but one lieutenant governor was a Maine man. This gentleman was David Cobb, formerly and subsequently of Taunton, but for twenty-five years agent in Maine for the Binghams, great absentee landowners.

The minority Massachusetts party, the Democratic, never paid the District the compliment of selecting a standard bearer from that quarter; and only once did they give it even a candidate for lieutenant governor. In 1812, the Democrats nominated William King, of Bath; but their Central Committee thought it advisable to explain in the annual campaign letter that, although King came from a remote part of the State, the district in which he lived was much interested in navigation, and that he, himself, was a large landowner. Boston may have been unduly prejudiced against backwoods statesmen, but in justice to her it should be remembered that in those days of slow communication it was a public disadvantage to have the chief magistrate of the State live at a great distance from the metropolis and capital.

The only Maine man who represented Massachusetts in the United States Senate was Prentiss Mellen, chosen in 1817 just before the separation. In the Council, Maine by special provision of the charter of 1691 and by custom after the adoption of the State constitution, received due representation. To Maine were given several appointments to the bench of the highest court. William Cushing in 1772 succeeded his father in the superior court, in 1777 he was made chief justice, and in 1789 became a judge of the United States Supreme Court. By the State constitution of 1780 the name of the highest court was changed from superior to supreme. To it were appointed from Maine, George Thacher in 1801, Isaac Parker in 1806, and Samuel Sumner Wilde in 1815. Judge Parker became Chief Justice of Massachusetts in 1814.

Separation First Proposed (1784)

Immediately after the close of the Revolution, the question of the separation of Maine from Massachusetts and the erection of the District into an independent State was freely

discussed among all classes of society. In 1784 the *Falmouth Gazette,* the first newspaper in Maine, was established for the purpose of advocating separation. For about a year, from late in 1784 to the fall of 1785, the paper was filled with articles on the question. Mr. Daniel Davis, who took part in the movement but who appears to have been glad later that it did not succeed, said in an article on the subject written for the Massachusetts Historical Society in 1795: "Clergymen, physicians, lawyers, and farmers seemed engaged in accelerating the event. They all employed both their pens and their private influence in convincing their fellow citizens of the propriety and advantages of becoming a distinct member of the Union. At the time I now speak of there were also a number of respectable opposers of this measure. These, generally speaking, were either those gentlemen who were concerned in trade, and feared an interruption in their commercial connections, or such as held office under the government, and feared the consequences of a new appointment. In this, as in most other cases of political experiment, the opinion of each party was decided by a prospect of their own, rather than the public interest. To this, however, there were doubtless some exceptions."

The discussion was quiet and gentlemanly. Some of the leaders in the separation movement were also leaders in Federalism and "good society," they were in general sympathy with the views, political and other, of the influential men in Massachusetts proper, and they had no wish to quarrel with them or to abuse the government of what was, after all, their own State. The mass of the people were at first indifferent; and when their interest was aroused they did not, at least for a time, display more than what Davis calls "moderate zeal." The union with Massachusetts might cause them inconvenience, but they were not oppressed.

Movement for a Convention (1785)

After the discussion had continued for months, it was felt that some action ought to be taken to secure a decision of the question; but how was this to be done? The District had neither a legislature nor executive of its own, and in that modest age "individuals were averse to any active step lest

they should be considered officious." At last some gentlemen summoned courage to procure the insertion of the following notice in the *Falmouth Gazette* of September 17 and October 1, 1785:

"Agreeably to a request made and signed by a large and respectable number of persons to the printer of this Gazette, the inhabitants of the three counties of York, Cumberland and Lincoln are hereby notified that so many of them as are inclined or can conveniently attend, are requested to meet at the Meeting House of the Revd. Messrs. Smith and Deane in Falmouth, on Wednesday, the fifth day of October next, to join in a conference then and there to be held on the proposal of having the said counties erected into a separate government; and, if it should be thought best, to form some plan for collecting the sentiments of the people on the subject and pursue some orderly and regular method of carrying the same into effect."

Thirty-three gentlemen, residents in about equal proportion of the three Maine counties of York, Cumberland and Lincoln, answered the call. On the day set, October 5, they organized by choosing William Gorham of Gorham as president and Stephen Longfellow, Jr., of the same town, as secretary. A committee of seven, of which General Wadsworth was chairman, was appointed to draw up and dispatch a circular to all the Maine towns and plantations, requesting them to choose delegates to a convention to be held at Falmouth on the first Wednesday of January, 1786, to deliberate on the subject of a separation, "and if, after mature consideration, it should appear to them expedient, to pursue some orderly and regular method of carrying the same into effect."

Whether a separation was wise or not, the measures taken to obtain it were certainly moderate, peaceable and lawful; but the authorities in Massachusetts seem to have regarded them as almost treasonable. Governor Bowdoin, by the unanimous advice of his Council, brought the movement to the attention of the Legislature. He described it as "a design against the Commonwealth of very evil tendency, being calculated for the purpose of effecting the dismemberment of it." The General Court replied that "attempts by individuals or bodies of men to dismember the State are fraught with improprieties and danger." The Legislature even appointed a joint commit-

tee of both houses to bring in a bill declaring the allegiance due to Massachusetts by its inhabitants, describing acts which amounted to a renunciation of such allegiance, "and so constructed as most effectually to secure the Commonwealth against the ill consequences of any attempt to dismember the same." The committee, however, appears to have made no report.

Separatist Convention at Portland

Unterrified by the threatening from Boston, a convention met in Falmouth on the first Wednesday in January. A committee of nine was appointed to draw up a statement of grievances. Their report has been admirably summarized in an article, "The Separation of Maine from Massachusetts," written by Mr. Edward Stanwood for the Massachusetts Historical Society in 1907. Mr. Stanwood says: "The grievances reported by the committee were nine in number: (1) That the interests of the two communities were different, and that Massachusetts did not understand, and therefore could not promote, those of Maine; (2 and 3) the distance of the seat of government, and the consequent inconveniences; (4) the expense of obtaining justice, since all the records of the Supreme Court were kept in Boston; (5) the unjust and unequal operation of the regulations of trade, which depressed the price of lumber, the chief industry of Maine; (6) the denial of representation in the House of Representatives to 'a great part of the inhabitants of these counties': many citizens lived in plantations and districts which were not organized, and therefore sent no delegates to the General Court; (7, 8 and 9) an unjust system of taxation, of polls and estates, an undue burden by reason of the excise and impost acts, and the unequal incidence of the tax on deeds, on account of the smaller value of land conveyed and its more frequent conveyance."

The Convention added a recommendation that, as a full representation in the General Court was supposed to be the best way to obtain a redress of grievances, all the towns should take care to send representatives to the next session. The Convention directed that the report and the supplementary recommendation be sent to the towns and plantations; and that they be requested to choose delegates at the March election or other

convenient time, to another convention to be held at Falmouth on the first Wednesday of the following September, "to consider the grievances the inhabitants of Maine labor under, and adopt and pursue some orderly and peaceable measures to obtain relief." The inhabitants were also requested to certify the number of votes cast for and against the plan of choosing delegates.

Joint Convention (1786)

The Convention did not dissolve after issuing the call, but simply adjourned to the first Wednesday in September. On that day the two conventions assembled, many delegates being members of both. The natural course would have been for the first to have dissolved as soon as the second was fairly at work; instead, the second elected the officers of the first as its own, and the two then coalesced. The united Convention declared that it believed that the grievances set forth by the first convention were real grievances except the fifth, the one relating to trade; and it appointed a committee of nine to consider the subject. The committee reported that there were other grievances which demanded the serious consideration of the Convention, but that "they could not, at that time, undertake to enumerate the multiplicity of them." Then, going beyond the authority given by their appointment, they declared that the only remedy for their distresses was separation, and recommended that the Convention present a petition for separation to the General Court, and at the same time issue an address on the subject to the people of Maine. The Convention accepted the recommendation, and the papers were duly prepared.

The petition was a moderate and respectful document, stating that the people of Maine were loyal and law-abiding citizens of Massachusetts, but that owing to their separation therefrom by another State and their great distance from the seat of government, they labored under difficulties which they believed could be removed only by the establishment of a separate State, and that they considered it a duty which they owed to themselves, to their brethren in the other part of the State and to the United States, to ask the General Court "in a peaceful and dutiful manner to consent to the erection of Maine into a separate government." They also explained

From original

Courtesy of Harvard College Library

MAP OF MAINE

that "they do not entertain an idea of throwing off the weight of the public debt,—or to prevent the other part of the Commonwealth from having their just proportion of the unappropriated lands; but, like friends and brethren, most ardently wish to have all matters adjusted upon the broadest basis of equity and fair dealing."

The address to the people was a sterner document, some of the language used being ultrademocratic, if not, in the circumstances of the time, revolutionary.

Separation Defeated (1787)

The difference in tone and spirit between the petition and the address was probably due, in part at least, to very serious differences in the Convention itself. The movement for separation was originally moderate and conservative. Stephen Longfellow, the secretary of the Falmouth conventions, was afterwards a Hartford-Convention Federalist. Yet the "Democrats"—looked upon as the Populists of their day, were showing themselves extremely zealous for the division of the State. It was the time of Shays's rebellion in Massachusetts proper, and the moderate wing of the Maine Convention was unwilling to further embarrass the government, and succeeded in passing a vote "that as there has been a number of respectable towns in the counties of York, Cumberland and Lincoln, that have not yet certified to this convention their determination of a separate State, and as the Commonwealth in general is at this time in a perplexed state, and this convention being unwilling to do anything that shall seem to lay a greater burthen on the General Court, therefore it is the opinion of this convention to postpone petitioning for a separation at present."

The radicals considered such forbearance mere foolishness, the throwing away of a golden opportunity to wring from the fears of the General Court what they might be unable to obtain from its calm judgment; and they induced the Convention, after "a long and acrimonious debate" and by a majority of two only, to reconsider. The radicals, however, were not able to secure a direct vote for presentation; hence the petition was left in the hands of a committee with authority to present it when they should see fit, and they did not do so for more

than two years; meanwhile both convention and agitation had passed away, and the House of Representatives quietly tabled the petition.

Maine and the National Constitution

The movement for separation at first diverted attention from the work being done by the Constitutional Convention at Philadelphia. But when the towns in Massachusetts were called on to send delegates to a special convention at Boston to accept or reject the new plan of a national constitution, the voters in Maine were aroused and the contest became very sharp. Thirty-one Maine towns refused even to elect delegates to the State convention and thereby played into the hands of the Federalists, as the friends of the Constitution were called, for this obstinacy cost the Antifederalists votes which might have been of great importance. It is practically certain that every one of the unrepresented towns was opposed to ratification. The Constitution was adopted by a majority of nineteen only; had all the absentee Maine towns sent delegates and no more of the Massachusetts towns, and had all the additional Maine delegates resisted arguments and blandishments, the Constitution would have been defeated; but seven conversions would have saved the day for the Federalists.

In the Convention the voice of Maine was loud against ratification of the Constitution but her vote was for it. Eight Maine delegates spoke. Five of them earnestly opposed ratification. Of the five, three, Nasson of Sanford, Brigadier General Samuel Thompson of Brunswick and William Widgery of New Gloucester may be regarded as leaders of the opposition. None were educated men and their language at times was more fitted to move laughter than conviction. A reporter of the debates says that "the general broke out in the following pathetic apostrophe: 'Oh, my Country, never give up your annual elections! Young men, never give up your choicest jewell'." Mr. Nasson out-Thompsoned Thompson, by begging leave to make a short apostrophe to Liberty and dropping a tear on the peril to which that jewel, worth ten thousand worlds, was exposed. It is probable that this speech, though delivered and therefore sponsored by Nasson, was witten for him by Doctor Charles Jarvis of Boston. But

these men were more than mere windbags; if not statesmen, they were at least clever politicians and debaters. Widgery, as a number of the Massachusetts legislature, had attempted to refer the ratification of the Constitution to the people instead of to a convention, which would have secured its defeat. His principal argument was that the poorer towns could not afford to be represented in a convention, but his opponents countered by passing an order that the delegates should be paid from the State treasury. In the convention Nasson attempted to cut short the arguments in defense of the Constitution and was supported by Widgery, who said that members were short of money.

The Federalists had much to say of the importance of union. General Thompson replied that four States might refuse to enter the new union. "Take care we don't disunite the states. By uniting we stand, by dividing we fall." When a clerical delegate said that he believed that the men chosen to administer the government would usually be good men, Thompson retorted with the doctrine of human depravity so frequently proclaimed by the clergy, announced his own belief in it and referred to the failings of the man after God's own heart and the wisest of men, David and Solomon.

Widgery, Thompson and Nasson strongly objected to biennial instead of annual elections and to giving Congress a right to fix the places and times of choosing Representatives. It was urged that Congress might require the elections to be held at Great Barrington or Machias or in Boston in the middle of winter. Objection was also made to allowing Congress to levy direct taxes, lest it discriminate against the poor and in favor of the rich by laying poll taxes.

A higher note was struck in the opposition to the clause allowing Congress to permit the slave trade for twenty years. This was reprobated in language which anticipates that of Phillips and Garrison. General Thompson exclaimed, "Mr. President, shall it be said that after we have established our own independence and freedom, we make *slaves* of others. Oh! Washington what a name he has had! How he has immortalized himself! But he holds those in slavery who has as good a right to be free as he has. He is still for self; and in my opinion his character has sunk fifty per cent."

In the calm language of high and steadfast purpose, a Quaker member, Mr. Neal of Kittery, said that his religion obliged him to bear witness against anything that should favor making merchandise of the bodies and souls of men, and that unless his objection were removed, he could not put his hand to the Constitution.

In these criticisms the Maine delegates were in harmony with their radical brethren of Massachusetts. There were also special reasons for opposition in Maine of which its delegates said little or nothing publicly. Many of the separationists fought the Constitution because they believed that it would be an obstacle to the carrying out of their plans. This was stated to have been a chief cause of Widgery's opposition. Many residents of Maine were squatters—that is, settlers on land which did not belong to them—and a correspondent of Madison told him that they feared that they would be brought to account if the Constitution were adopted. It is difficult to see any special ground for this, but there was a widespread belief that the Constitution would put the wealthier class in control of affairs, and the absentee landowners were rich men.

Nathaniel Burrell of York had come to the Convention opposed to ratification, but in the course of the debate many of his objections to the Constitution had been removed. He told the Convention of his change of view and said that he would like an adjournment to give opportunity for amendments and to allow him to explain to his constituents the reasons for his partial conversion. Burrell stated, however, that if these concessions could not be obtained he was almost ready to vote for ratification, and when the decisive moment came he did so.

Two Maine delegates spoke unequivocally in favor of the Constitution. One, Perley of Livermore, briefly defended the provision allowing Congress to keep part of its proceedings secret. The other, Captain Isaac Snow of Topsham, boldly met the opponents of the Constitution on one of their favorite issues, the considerable power given to the central government. Captain Snow declared that power was necessary to enable Congress to save the country. He said that he had had commerce with six different countries and that he had learned from good authority that America was regarded in Europe much as a well-behaved negro was in a gentleman's family.

To enforce the argument of the necessity of giving discretionary power to Congress, Captain Snow told how a commercial voyage might be ruined because the captain was bound by too rigid instructions.

There is little doubt that at the assembling of the Convention a majority of the Maine delegates were opposed to the Constitution, but some were won over, and on the vote on ratification the representatives of the District stood twenty-five to twenty-one in its favor. Moreover, the question once decided, Widgery and Nasson (though not Thompson) promised to give the Constitution their ungrudging support.

Second Movement for Separation (1814 – 1815)

Between the adoption of the Constitution and the War of 1812 there were various attempts at separation, but they were wholly unsuccessful. The war, however, and the Hartford Convention proved a stimulus to separation. The movement was controlled by able men; these architects of separation, these bosses of over a century ago, composed a ruling junto, which was only held together loosely and had its internal quarrels. The principal figures were five: John Chandler, John Holmes, William King, Albion Keith Parris, and William Pitt Preble. Holmes was a graduate of Brown, Parris of Dartmouth, and Preble of Harvard. All except Parris were combative men, but Chandler seemed meant by nature for military rather than for civil life. As a boy he served in the Revolutionary Army. He was a major general of the Maine militia, and also a brigadier of United States troops in the War of 1812. Unlike Holmes and King, who began political life as Federalists, won as Democrats, and died Whigs, Chandler was always a Democrat of the straightest sect. The Massachusetts Democrats seemed hardly orthodox to this eager Maine politician. On one occasion he wrote that not only did the Republicans (Democrats) of Boston act like the devil, but that in old Massachusetts they were not the equals in full party principle of their brethren of Maine. General Chandler was a great admirer of Andrew Jackson, who twice made him collector of customs at Portland.

John Holmes was born in Kingston, Massachusetts, March 28, 1773, was admitted to the bar in 1799, and moved to Al-

fred, York County, Maine. In the prevailing disputes over titles to land, Holmes was employed by the great proprietors, and obtained considerable knowledge of land law, besides liberal fees. Holmes enrolled himself under the Federalist banner, where he waged a vigorous and grossly personal warfare against the Democrats. In 1811 he suddenly became a Democrat, perhaps because no Federalist could be elected to office in his district. In 1813, Holmes was sent to the State Senate of Massachusetts, and there took a leading part in support of the national administration. In 1815, President Madison made him the American representative on the joint commission to determine the ownership of the Passamaquoddy Islands. He was employed in the Dartmouth College case for the "University," but did little to distinguish himself.

Holmes, though a man of national reputation, was a clever politician and advocate, rather than a statesman or a jurist. His chief characteristic was his ready wit. Like many lawyers of his day, Holmes was intemperate, and he bore the marks of his excesses. A correspondent of the *Argus* called him "the Knight of the Carbuncle Face." In the latter part of his life, he took an active part in the temperance movement. He was a domineering man, and it is probable that his nickname, the "Duke of Summersetts," referred to his arrogance as well as to his political changes. He was said to have declared that he could manage York County as easily as he could swing a cat by the tail.

William King was born at Scarborough, Maine, February 9, 1768. He was a member of one of the leading families of Maine, a younger half-brother of the eminent Federalist, Rufus King. He was an able man of great force of character. By his own exertions he became one of the greatest shipowners in the United States, a large exporter, and an extensive land owner. He was also a banker and a lawyer. In 1800, he moved to Bath, represented it in the Legislature for many years, and was termed the "Sultan of Bath." William King began as a Federalist, became a Republican, and died a Whig. He was a keen judge of human nature and a devoted lover of the game of politics, which he played skilfully and ruthlessly. Political opponents said that he violated the embargo, to which he was strongly opposed; and the War of 1812 shook his democracy more than the public knew. The latter

part of King's life was unfortunate. In 1835 he was defeated as the Whig candidate for Governor, his great land holdings proved a burden rather than an asset, his mind failed, and he died at the age of eighty-four, an adjudged *non compos,* leaving an estate insufficient to meet its liabilities.

The fourth member of this junto, Albion Keith Parris, was born at Hebron on January 19, 1788. After graduation from Brown, he went into politics, and was an office-holder nearly all his life. In 1816 he was elected a Representative in Congress, and in 1818 was appointed United States judge for the district of Maine. In 1822, he became governor of Maine, and, in 1827, a United States Senator. He exchanged the Senatorship for a seat on the Maine Supreme Bench. This place he also resigned to serve as second comptroller of the United States Treasury. Suave, conciliatory, unwilling to assume or acknowledge responsibility, his pleasing manners made him liked by all who knew him—particularly, his constituents. He was reported to have had more babies named after him than any other man in Maine.

William Pitt Preble was born in 1783, at York, Maine, of an old Maine family, and was a relative of Commodore Preble. He was by nature a fighter, but if he shot fast and hard he knew where to aim. Not overscrupulous in public contests, he was yet no "politician." He appeared to wish to offend men. His power of invective was almost fearful. Such a man could win respect for his ability, but was not adapted to win popular favor or a large "clientage." The Kennebec *Journal* said of him in 1827: "He is indeed the Van Buren of Maine, and though with far less talents and still less popularity, he is a powerful agent in directing the wheels, though he dare not seem to touch them himself."

Plans were made for enlarging the *Eastern Argus* and increasing its circulation, in order both to influence elections generally and to further the cause of separation. In the winter of 1815 petitions for separation were sent to the legislature, and its supporters found the Federalists apparently ready to give the request benevolent consideration. Mark L. Hill, then a member of the Massachusetts senate and later a Representative in Congress, wrote to his friend and political ally, William King: "The Federalists in the Senate are

remarkably polite. They appear extremely anxious to know what the exertions are toward a separation, and if we may judge from appearances, Mr. Otis and others are willing to get rid of us."

There were several reasons for this complacent, yet uncomplimentary, conduct. Massachusetts proper was, and had been, Federalist, while the District of Maine was Republican. Maine had indeed at times returned a majority of Federalist Congressmen, but for many years she had steadily supported a Republican for governor; and the majority of her representatives in the General Court had also been Republican. The existence of a strong Republican minority made it necessary for the Federalists to pursue a more moderate course than some, at least, of their leaders desired. The situation, from a Federalist point of view, was growing worse instead of better. The population of Maine was increasing faster than that of Massachusetts, and the Federalists feared that in time "the unprincipled majority in Maine, effecting a junction with their natural allies in Massachusetts proper, will finally endanger, if not overthrow, the literary, religious, and political institutions of the State."

Federalist Sentiment (1815)

Later in the separation struggle, a letter to the *Boston Daily Advertiser* said: "It has been apprehended that there would be such an increase of the population of the District as that the question would be, according to the current phrase, not whether we should set them off, but whether they would set us off—and that possibly the seat of government might be removed to some place in the District." In an earlier discussion of separation a friend of the measure said that, were it carried, the capital of Massachusetts probably would be moved from Boston to the more centrally located Worcester, a change which would be for the benefit of the people as a whole.

Equally unreasonable fears had been expressed by the friends of separation. The *Argus* of April 25, 1806, published a letter from a correspondent signing himself "Falmouth" who declared that "As Federal Massachusetts would gladly be divorced from Republican Maine, a Boston represen-

tative may cause us to be separated at any moment, without a cent of the million and a half of money in the treasury, without any consideration for our expense in building the State House, and State prison, or without an acre of the Eastern land at our disposal."

There was a feeling in Massachusetts toward Maine like that with which a guardian of a rough, troublesome youngster regards the ward who shows little gratitude for the pains taken for his welfare. The correspondent of the *Boston Advertiser* quoted above said:

"The District has been considered as a sort of nursling, whose support cost more than its services were worth. The peculiar situation of that country has been such as to give us a great deal of trouble, and to compel us in some instances to make general laws such as would never have been thought expedient or just had we legislated only for Massachusetts proper. The citizens of this Commonwealth generally have felt a sort of pique occasioned by the clamor for separation in the District, and have said, 'if these people think they are oppressed, and are so anxious to get away from us, we can do very well without them; let them take their own course, run and be glorified.' "

February 26, 1814, resolutions for a popular vote in Maine on the question of separation were offered in the senate by Albion K. Parris of Oxford County. February 26, the senate, by a party vote of seventeen Federalists to ten Republicans, accepted the report of a committee that it was not expedient to pass the resolves. Why had the Federalists returned to their old policy of retaining the District? Partly from a natural reluctance to dismember the State, but more because the balance of population had shifted. The "Ohio fever" was raging in Maine, and many of her citizens were seeking better farms in the West; the people of Massachusetts were increasing in number; and there seemed little danger that "the wise and good" would be deprived of their rightful authority by the backwoodsmen of Maine. Moreover, were the District to become a separate State, the Republican majority in the United States Senate already large, would be still further increased.

Final Movement for Statehood (1816)

The refusal of Massachusetts to allow the people of Maine as a body to pronounce an opinion on the question of separation aroused its advocates to greater activity. When the Legislature met in the following winter, petitions poured in from Maine in favor of statehood. The action of the previous year was reversed and a bill was passed allowing the people of Maine, on May 20, 1816, to express by a vote their wishes in the matter of separation. The change probably was due to the fact that the petitions showed a strong sentiment in Maine in favor of separation. Massachusetts as a whole had no desire to retain the District against the wishes of a decided majority of the inhabitants. The twentieth of May rather than one of the election days was chosen as the time of voting, because it was thought best to separate the question of the division of the State from party politics. A near day of voting was fixed so as to put an end as soon as possible to the suspense and agitation of the citizens of Maine.

The contest was thus transferred to the people of the District. It was fiercely waged; but when the ballots were counted, it was found that less than half of the voters had gone to the polls. The vote stood in favor of separation, 10,584; opposed, 6,941.

Statute for Submission, Not Separation (1816)

It had not been intended by the Massachusetts Legislature that the popular vote should be absolutely decisive. The legislature met shortly after the vote in Maine, and promptly referred the subject of separation to a joint committee of which Senator Harrison Gray Otis was chairman. The committee reported to the senate that the vote in May did not give a clear impression of the wishes of the people of Maine; that the committee hoped that separation would not take place, and that it believed that some further means should be taken to learn the opinion of Maine on the matter. It accordingly presented a bill providing for the election by the people of Maine of a convention to meet at Brunswick on August 26. If a majority of the delegates then favored separation, the fact should be taken as a proof that the people of Maine desired it and the convention should proceed to frame a con-

stitution. Various provisions were made in regard to the public property and lands, the public debt, etc. These provisions were required to be accepted without change by the convention and were to become *ipso facto* a part of the constitution of the new State.

In the senate, several amendments were passed. One of them, though moved by a leader of the separationists, Senator Holmes, of York County proved fatal to their plans. It provided for another popular vote on the question of separation, to be taken September 2, 1816, and for the election at the same time of a convention which should assemble on September 30, organize, and count the votes. It was further provided "that if a majority of five to four at least of the votes returned are in favor of said District's becoming an independent State aforesaid, then and not otherwise, said convention shall proceed to form a constitution, as is provided in this act." It seems strange that such a limitation should be proposed by a friend of separation, but probably Mr. Holmes thought that it would win votes in the Legislature, yet would not prevent the separationists from carrying Maine in September.

Grievances of Maine (1816 – 1820)

In the House an earnest effort was made to postpone the subject of separation until the next session, but without success. Then, says Mr. Stanwood, "the storm burst forth in Maine. . . The election upon which everything depended was to take place in eleven weeks, and although the people were already greatly excited, they were stirred to even greater activity. The newspapers discussed the question with enlarged headlines, and their pages became spotty with capital letters and italics."

A correspondent of the *Argus* expressed the hope that the people of Maine would not be gulled by a bill which had been introduced into the legislature to improve the public lands. "Whenever they have been hard pressed to let us off," he said, "they have delayed and amused us with similar systems."

The failure of Massachusetts to defend the District during the late war had caused much bitterness in Maine. There was a widespread feeling that the union with Massachusetts

had been a hindrance rather than a help. It was alleged that if Maine had been a separate State she would not have tamely submitted to the occupation of Castine, but would have won honor by her courage as did Kentucky. Massachusetts was accused of partiality in educational matters. It was said that $13,000 in ten years had been given to Massachusetts colleges ($10,000 to Harvard and $3,000 to Williams), and only $3,000 to Maine's college, Bowdoin; that according to the proportion of direct tax paid by Maine she had paid the whole of the Bowdoin grant and made a small contribution to the Massachusetts colleges. One critic blamed Massachusetts for refusing to give the usual aid of a grant of land to a proposed academy at Bangor. He also complained that a lottery for the benefit of a Maine work had been refused on the ground that lotteries were injurious to morals, but that Harvard College and the Middlesex Canal had been permitted to raise money in this reprehensible way.

Wild lands in unincorporated districts were assessed at only one third of their value, and the legislature was accused of taxing the speculator two per cent. when it taxed the farmer six.

Replies of Unionists

The opponents of separation declared that it would be contrary to the fundamental laws of the State and the Nation. They asserted that neither the government, nor even the people of Massachusetts, could deprive law-abiding citizens of the protection of the State, that such persons residing in Maine were entitled, if they so desired, to continue a part of the people of Massachusetts and to remain with their property under her jurisdiction. It was assumed as a matter of course that an independent Maine, with no authority over thousands of her inhabitants and their estates, was a practical impossibility. The assertion that Massachusetts could not divest herself of the duty of protecting the property of her citizens was made to meet the objection that separation need not deprive any one of his citizenship in Massachusetts. He could go and live there, or he could remain in Maine as a citizen of Massachusetts, though obliged, like any alien, to obey her laws while in her borders.

The antiseparationists vigorously defended Massachusetts against the charge of selfishness and partiality in her educational policy. They said that grants to colleges should be in proportion not to the taxes paid by the districts in which they were located, but to the number of students attending them. They urged that Harvard was the college of the whole State and of the United States, that it was easier for persons residing on the seacoast of Maine to go to Cambridge than to go to Portland. Travel was mainly by water, and there were many more vessels trading to Boston than to Portland. Indeed, it was as easy for them to go to Harvard as for residents of the county of Middlesex, unless the latter lived so near to Cambridge that they could board at home.

Religious and Territorial Arguments

The opponents of separation also asserted that Maine could not furnish suitable officers for a State, particularly suitable judges for a supreme court, that the taxes would be heavier should separation take place, and that the conditions were unjust. They likewise appealed to denominational prejudice. Church members were told that the authorities of the new State would be unfriendly to the interests of religion. A special attempt was made to alarm the Congregationalists. Certain privileges had been given to the first church in a town, and this was usually a Congregational one. Hence the Baptists and other "dissenting" churches often found themselves at a disadvantage. They were stronger in Maine than in old Massachusetts, and some Maine Congregationalists feared that their position would be endangered should Maine become a separate State. Attempts were made to win the Quakers by assertions that the new constitution would compel them to bear arms.

The separationists answered that the claim that Maine stood in need of the property, talents and integrity of Boston, was of the same nature as the old Tory argument that the colonies needed the talents and the protection of Great Britain. One writer vigorously denied that Maine lacked men of talent, but said that, were it true, statehood would stimulate talent and attract men of systematic knowledge, and the public land would no longer be given to colleges in Massachusetts.

Massachusetts was to have half the public lands in Maine, and they were to remain untaxed while she held them. It was said that she might refuse to improve or sell, but grant long leases, and that the title being in her name, she could obtain a revenue and still escape taxation. Cyrus King, brother of Senator Rufus King, replied that experience showed that unimproved lands were not profitable if the lands near by were settled; in other words, the honest pioneers would steal the timber. It was also urged that should Massachusetts lease, though Maine could not tax the land owned by her, she could tax the tenants on the value of the leases.

The *Argus* accused its opponents of disloyalty in the war just closed. The *Gazette* replied by anticipating and even excelling Darwin, for it discovered the missing link. It said that its opponents could not argue but could only shout "Hartford Conventionists," and that these creatures felt sensible in the presence of men of character and soul that nature had formed them but a link in the chain of animal creation between mankind and the brute.

The Convention of 1816

Election day came, the separationists carried the convention, and from the early returns it appeared that they had the necessary five to four majority of the popular vote on the question of separation. But when the ballots were counted it was found that they had polled 11,969 votes and their opponents 10,347, or a trifle more than four to five. It would seem that the question was decided, separation defeated, and that the convention, which duly assembled on the 30th of September, had nothing to do but to verify and proclaim the result, and adjourn *sine die*. But among the separationist leaders were some of the cleverest politicians in Maine, and they had no intention of giving up the fight.

Popular Vote

Under the leadership of John Holmes, later one of the first senators of the State of Maine, they induced the convention to adopt a construction of the enabling resolution which made the necessary five to four majority not that of the individual voter but that of the majority of yeas in the towns voting yea

to that of the majority of nays in the towns voting nay. It is probable that some of the delegates voting for this interpretation did not believe in it themselves, but simply held that the right of a majority to decide was sacred, and that others thought that as the required majority had been so nearly obtained Massachusetts would acquiesce in a separation. Votes were passed providing for an appeal to Congress should Massachusetts deny that Maine had fulfilled the required conditions, but these resolutions were immediately modified. Some extremists in Massachusetts and in Maine talked civil war but official relations remained perfectly courteous. A committee of the legislature reported two resolutions: "That the contingency upon which the consent of Massachusetts was to be given for the separation of Maine has not yet happened, and that the powers of the Brunswick convention to take any measures tending to that event have ceased"; and "that it is not expedient for the present General Court to adopt any further measures in regard to the separation of the District of Maine." The report was accepted by the senate, the resolutions were adopted on the next day, December 4, without debate, and the house concurred unanimously.

December 5, a gentleman in Boston wrote to a friend: "Yesterday the remains of the Brunswick convention were quietly deposited in the vault." He also stated that Holmes declared that he never believed in his construction but that he was pushed up to it, that King said that he was opposed to it, but he was talked over and that "Mr. D. [Davis?] who claimed the honor of the invention sometime since, now disavows it."

Statehood in Sight

In 1818 the friends of separation again began to stir, and the question was repeatedly asked, how long was the subject to be allowed to sleep, and why was not something done? Certain Kennebec gentlemen proposed that such friends of separation as might attend the Bowdoin Commencement in September should meet and discuss the best time and means of bringing up the matter. Apparently no action was taken at Brunswick, but the Republican campaign committee of the county of Kennebec met during the session of the supreme court at Hallowell the last week in September, organized their

friends for the next election, and inquired what the sentiments of the various towns were in regard to separation. The replies were most encouraging. It appeared that the ranks of the friends of statehood were unbroken, and that great numbers of former opponents were giving up their objections. But there were differences of opinion concerning the proper time of making application to the legislature. Some desired to apply at once, some wished to wait until the next political year, while others thought that application should be delayed until after the next United States census, which would be taken in 1820.

A correspondent of William King's, E. T. Warren, stated with great frankness the policy which he and his friends believed most likely to be successful. They thought that it would be unwise to apply at once, because only a few Maine towns had sent representatives to the General Court and these had not been chosen with regard to their views on separation. To wait until after the census, would endanger separation and lessen its advantages should it be carried. It would doubtless be found that the eastern part of the District had greatly increased in population, and the people of York and Cumberland Counties would fear that the capital would be located contrary to their wishes. Moreover, a new valuation would have been taken, the wealth of the District would be seen to have increased, and Maine would be obliged to assume a larger part of the public debt. It was true that she would also have a right to a larger share in the public property, but Mr. Warren thought that this would by no means balance the increase of indebtedness, since he believed that the claim of Massachusetts against the United States for expenses incurred in the War of 1812 would never be paid; that Massachusetts, thinking that separation was sure to come, was wasting the public lands in lavish grants, and that the other State property was constantly decreasing in value. It was therefore the opinion of Mr. Warren and his friends that application to the legislature should be made at the end of the session of the ensuing May, and that the Republican State and county committees should meanwhile urge the towns to send their full number of representatives to the legislature. This would probably make the Federalists of Massachusetts afraid to refuse separation. Should, however, the result of the election

not be equal to expectation at least public sentiment would have been tested, and efforts for separation could be suspended until a more favorable moment.

Election of 1819

On April 19, 1819, "a committee of the Maine members of the Legislature issued an address to the people of the District, urging them, in the selection of representatives, to choose none but supporters of separation. They also urged that the towns petition for separation in their corporate capacity. At the annual election party differences were extinguished and the sole issue was separation. Every Senator elected from the District was in favor of separation, and of 127 representatives chosen by eighty-nine towns, 114 were in favor of separation and only 13 opposed. Both these numbers were subsequently increased by later returns. A great number of towns voted to petition the General Court in their corporate capacity. The opposition was successful in only a few cases."

So overwhelming a majority rendered it practically impossible for Massachusetts to refuse separation. The legislature referred the subject to a joint committee on which Maine was well represented, and the committee reported a bill providing that there should be a vote of the District on separation, and that the returns should be made to the Governor and Council. Should there be a majority of 1500 in favor of separation, the people of Maine were to be regarded as assenting to it. The Governor was to proclaim the result, and a convention was then to be chosen which should meet in Portland, select a name for the new State, and form a constitution.

The constitution was to be submitted to the people for ratification. If they refused to adopt it, the constitution of Massachusetts, except such parts as were locally inapplicable, was to be the constitution of the new State until legally changed. But whatever the result of the vote on the constitution, the District was to become a State on March 15, 1820, provided that the consent of Congress were first obtained. Provision was made for the continuance of the existing laws, courts and public officers, in Maine, until its legislature should act. The president of the convention was to perform the duties of governor until a governor was legally chosen.

Certain conditions of separation, relating to the public lands, debts, buildings, and so forth, were to be a part of the new constitution. Various changes were made in the requirements of 1816, but they were not of great importance. An amendment requiring the assent of the people of the whole State was defeated. The bill passed in the senate by a vote of 16 to 14; in the house by one of 193 to 59. The bill was signed two days later by Governor Brooks, and Maine was offered the privilege and the burden of home rule. Her first duty was to draw up a form of government.

Convention of 1819

October 11, 1819, a constitutional convention met at Portland, in which the ablest Federalists and Democrats had seats; for in the selection of delegates, party lines had been disregarded. William King was chosen president of the convention. Other officers were elected and committees were appointed, to recommend a style and title for the new State, to draft a constitution and to make application to Congress for admission to the Union.

Next day the first committee reported the title, "Commonwealth of Maine." Massachusetts called herself a Commonwealth, and many of the delegates wished to retain the term. They argued that the Maine people were not a new people as were the inhabitants of the late territories. A delegate objected that "In common parlance, Maine would always be called a *State?* Why then should we style it *Commonwealth?* What was the use of giving the name Jonathan, when it would always be called, after all, plain John?" The word "Commonwealth" was struck out by a vote of 119 to 103.

Some delegates were anxious that the State take the name of "Columbus," which they considered more rotund and more significant than "Maine." It was effectively answered that "Maine" had a definite significance in the commercial world, while "Columbus" might be associated with the Columbia River, or with South America.

A more serious question was: Should Maine establish a constitution which was a replica of that of Massachusetts written forty years before; or should it welcome the newest ideas? A medium course was taken. The example of Massa-

chusetts had a distinct influence upon the frame of government. Maine established a two-chamber legislature, and also the principle of town representation. The object was to produce a house of about one hundred and fifty members. In Massachusetts the senatorial districts were determined, under certain limitations, by the amount of taxes paid in them; in Maine by the number of their inhabitants. Massachusetts required certain property qualifications for both senators and representatives, which Maine abandoned. Massachusetts had also what may be termed a bicameral executive; for the governor was assisted (or hampered) by a council, including a lieutenant governor. The Maine convention did away with the lieutenant governor without a word of dissent. The drafting committee recommended a council of seven, elected by the legislature from seven districts. One of the minor political leaders, Dr. Rose, objected. He said: "I believe we can get a Governor as capable of doing the business of the Executive alone, as other States. If we give him a council, we not only incur a useless expense, but divide the responsibility. . . . he may have a council in whom he has no confidence."

Whitman, who had himself been a councilor, stated that, contrary to general belief, the action of the council on appointments was but a small part of its duty. "On the whole," said Mr. Whitman, "I believe there is no other body of men whatsoever, who have, under the constitution of Massachusetts, performed so much and so important service, at so small an expense." The convention refused to abolish the council, and it retained the number of seven.

The Massachusetts property qualifications for voters and for senators, representatives and governors, were dropped in Maine. Both States officially acknowledged God. Massachusetts had a strong belief in the superiority of the legislature, and described the Almighty as the "Great Legislator of the Universe." The drafting committee of the Maine Convention followed the example, but "Mr. Holmes thought there was great propriety when forming rules for the government of the people, that we should acknowledge our subjection to the "Sovereign Ruler of the Universe" and the convention adopted his phraseology.

The constitution, as remodelled by the convention, was submitted to the people and ratified by an overwhelming majority. Application for admission as a State was duly made to Congress; but the South blocked action until Missouri should be admitted with slavery. The delay was serious, inasmuch as Massachusetts had made her consent to the separation conditional on the admission of Maine before March 4, 1820. On petition of the Maine members of the Massachusetts Legislature, that State extended the period of grace to March 15, 1822. The favor, however, proved unnecessary. The bill admitting Maine was hurried through Congress, and on the third of March it was signed by President Monroe. The necessary Massachusetts Act of Assent took effect on March 15.

State Affairs

Maine was now a separate State, with a constitution of her own devising and adopting; but she had still to choose her officers. The Democrats had promised the Federalists to give them a share of the offices of the new State in proportion to their numbers, which was supposed to be one in three, and for some years the promise was kept. It was then set aside with mutual accusations of bad faith. In the first assignment, most of the Democratic chieftains were excellently provided for, as they had doubtless hoped when they labored so long and so hard for the separation of Maine.

As everyone expected, William King was chosen governor; Chandler and Holmes became United States Senators; Preble was made an associate justice of the supreme court; Parris soon became the second elected governor of Maine. The editor of the *Argus*, Ashur Ware, was made secretary of state. Mr. Ware was a native of Massachusetts. After graduating from Harvard, he then moved to Boston, studied law, became active in politics, and helped to edit a Democratic newspaper, the *Boston Yankee*. In 1817, he moved to Portland in order to become editor of the *Argus*, and advocate separation. His literary ability was of great use to the able but uncultured Governor King, for whom he is said to have written his Fast Day and Thanksgiving proclamations. In 1822, Ware succeeded Judge Parris in the District Court, where he made a great reputation

for thoroughness and reliability, and for constructive work in building up a system of admiralty law. Nathan Weston, one of Elbridge Gerry's circuit-court-of-common-pleas judges, was transferred to the State supreme court.

Two positions of importance were given to the Federalists, but both were nonpolitical. Prentiss Mellen, who had been a Senator from Massachusetts at the time of the separation, was made chief justice of Maine. He proved a conscientious and learned judge, whose opinions brought honor to Maine. His chief fault was an impetuosity at the bar, which on the bench made him impatient with prosy counsel and witnesses. Once, when Chief Justice Parsons said to him: "You are aware, of course, Mr. Mellen, that there are authorities on the other side," Mellen replied: "Yes, yes, Your Honor, but they are all in my favor."

Maine established a State Court of Common Pleas, and Governor King appointed Ezekiel Whitman as chief justice. Whitman had been an active Federalist, and, at the time of his appointment, was serving a fourth term in Congress. As befitted a member from a commercial district, he gave much attention to trade questions, and opposed increases of the tariff. He bitterly condemned the conduct of General Jackson in Florida, and strongly favored an antislavery restriction on the admission of Missouri. In Maine Mr. Whitman had fought the five to four decision of the Brunswick Convention of 1816, of which he was a prominent member; and in the Convention of 1820 he was a leader of the conservatives and a champion of the large towns.

Later Relations of Massachusetts and Maine

Though the political union of Maine and Massachusetts was now wholly dissolved, a property link remained. By the act of separation, the State lands in Maine were equally divided between the two States, and any money received from the United States in payment of claims by Massachusetts for disbursements in the War of 1812 was to be shared by the two States in the proportion of two parts for Massachusetts and one for Maine. These lands were ultimately bought by Maine. The claims, or a large part of them, were paid, and a number of years later interest was allowed.

Other than formal ties between the two States exised, and Maine was soon obliged to appeal to them. In 1822, Bowdoin College received a severe blow in the gutting by fire of its only dormitory. Joseph McKeen, a son of the first president, started at once for Boston to beg for help, and reported: "I am at almost every step reminded that we are now a separate state, and must support our own institutions." Eventually Massachusetts men subscribed nearly as much as those of Maine. The gifts more than met the losses, and the college made over $3200 by the fire.

Massachusetts beneficence was probably partly due to a circular signed by Chief Justice Parker and Judge Wilde, former Maine men: "How important that a country with which such relations exist, should have preserved to it an institution which, more than anything else, will strengthen these ties. It is the country to which our young men will continue to emigrate. Massachusetts will be the parent country, and Boston for a century to come, be its commercial capital."

These prophecies of Maine, and that Boston would remain its commercial capital, were only in part fulfilled. The rich, treeless prairies of the West proved more attractive than the forests of Maine. Yet, for many years Boston held a financial scepter, the "Suffolk system," by which six Boston banks formed a union, popularly called "Holy Alliance" and "Six-tailed Bashaw," whose object was to buy up and send home for redemption the notes of country banks which were thought to be overextending, or which had not accepted the terms of an agreement imposed by the Suffolks.

Part of the development of Maine was due to financial help from Massachusetts. But occasionally a Maine speculation developed as unwarranted and as disastrous as an old-fashioned Western boom. About 1835, the success of mills at Lowell, Lawrence and other places in Massachusetts greatly stimulated such investments, and mill sites on the rivers of Maine were rapidly acquired, particularly in the eastern part of the State. Timber land was also in great demand.

A wild rush ensued to Bangor, the head of navigation on the Penobscot, and the gate to the almost untouched forests of northern Maine. Humorists declared that the town was so filled with Boston speculators that the late comers paid for

the privilege of leaning against a post while they slept. There was much misrepresentation and fraud. A few men were shrewd enough to sell soon or buy late; and a few others who had the money to hold on made fortunes; but many speculators and innocent investors suffered heavily. Bangor's dreams of becoming a metropolis passed away.

Today Maine furnishes a large part of her own financial capital, and gets much help from New York and Philadelphia; but Massachusetts still invests in Maine industries. Culturally, Boston has become less of a leader in Maine than in the days of our fathers and grandfathers; but Boston may still be thought of as intellectually the first city in New England, and as such she receives the homage of Maine; although, like the general in the Roman triumph, she may be satirized as well as honored. Many Maine youths seek the advantages of an education at Harvard, but there is a reverse set of the tide. Massachusetts boys come to the University of Maine for a technical education, and the old Bay State is now sending nearly as many to Bowdoin as does Maine herself.

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Portland Gazette, April 16, 1798, [to 1820 and later].
A very full set of Portland papers is preserved in the Portland Public Library; and sets are to be found in the larger libraries of Massachusetts.

APPENDIX

LIST OF OFFICERS FROM 1775–1820

Governors

John Hancock	1780	to	1785	
James Bowdoin	1785	to	1787	
John Hancock	1787	to Oct. 8,	1793	
Samuel Adams	1794	to	1797	
Increase Sumner	1794	to June 7,	1799	
Caleb Strong	1800	to	1807	
Jas. Sullivan	1807	to Dec. 10,	1808	
Christopher Gore	1809	to	1810	
Elbridge Gerry	1810	to	1812	
Caleb Strong	1812	to	1816	
John Brooks	1816	to	1823	

Lieutenant-Governors

Thos. Cushing	1780	to Feb. 28,	1788	
Benjamin Lincoln	1788	to	1789	
Samuel Adams	1789	to	1794	
Moses Gill	1794	to May 20,	1800	
Sam'l Phillips	1801	to Feb. 10,	1802	
Edward H. Robbins	1802	to	1806	
Levi Lincoln	1807	to	1809	
David Cobb	1809	to	1810	
William Gray	1810	to	1812	
William Phillips	1812	to	1823	

Chief Justices

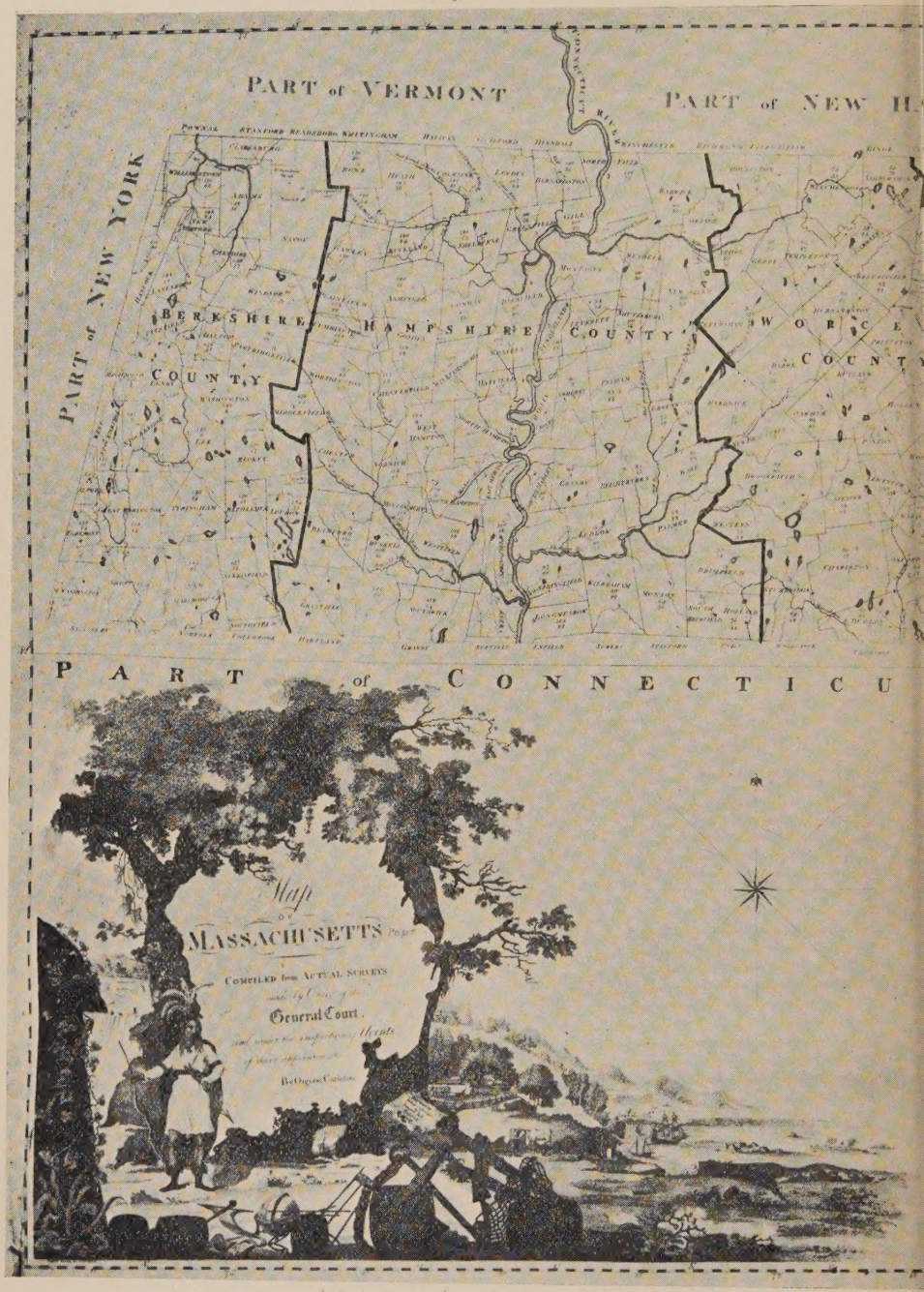
John Adams	1775	to	1776	Resigned
William Cushing	1777	to	1789	Resigned
Nathaniel Peaslee Sargent	1790	to	1791	
Francis Dana	1791	to	1806	Resigned
Theophilus Parsons	1806	to	1813	
Samuel Sewall	1814	to	1814	Died
Isaac Parker	1814	to	1830	

Justices

William Cushing	1775	to	1777	
Nathaniel Peaslee Sargent	1775	to	1790	
William Reed	1775	to	1776	Superseded
Jedediah Foster	1776	to	1779	
James Sullivan	1776	to	1782	Resigned

JUSTICES—Continued

David Sewall	1777	to	1789	Resigned
Increase Sumner	1782	to	1797	
Francis Dana	1785	to	1791	
Robert Treat Paine	1790	to	1804	Resigned
Nathan Cushing	1790	to	1800	Resigned
Thomas Dawes	1792	to	1802	Resigned
Theophilus Bradbury	1797	to	1803	Removed
Samuel Sewall	1800	to	1814	
Simeon Strong	1801	to	1805	
George Thacher	1801	to	1824	Resigned
Theodore Sedgwick	1802	to	1813	
Isaac Parker	1806	to	1814	
Charles Jackson	1813	to	1823	Resigned
Daniel Dewey	1814	to	1815	
Samuel Putnam	1814	to	1842	Resigned
Samuel Sumner Wilde	1815	to	1850	Resigned



MAP OF MASSACHUSETTS COMPILED FROM ACTUAL SURVEYS IN 1801

ESSEX
COUNTY
MIDDLESEX
COUNTY
NORFOLK
COUNTY
BRISTOL
COUNTY
PLYMOUTH
COUNTY
MASSACHUSETTS
BAY
CAPE COD BAY
BARNSTABLE
COUNTY
BARNSTABLE BAY
BUZZARDS BAY
PART OF RHODE ISLAND
ELIZABETH ISLANDS
MARTHA'S VINEYARD
EXPLANATION.
Road
Academy
Meeting House
Court House
River
Small Stream
Mountain
Pond
Island
Rock above water
Rock under water
Shoal
Falls
Bridge
Towns
SHIRE TOWN.